

REPORT VII

International Labour Conference

TWENTIETH SESSION

GENEVA, 1936

Reduction of Hours of Work in the Textile Industry

Item VII on the Agenda

GENEVA

INTERNATIONAL LABOUR OFFICE

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INTRODUCTION

The general Draft Convention providing for the reduction of hours of work to forty in the week adopted by the Nineteenth Session of the International Labour Conference (1935) contains as its main provision the following:

ARTICLE 1

Each member of the International Labour Organisation which ratifies this Convention declares its approval of:

- (a) The principle of a forty-hour week applied in such a manner that the standard of living is not reduced in consequence; and
- (b) The taking or facilitating of such measures as may be judged appropriate to secure this end;

and undertakes to apply this principle to classes of employment in accordance with the detailed provisions to be prescribed by such separate Conventions as are ratified by that member.

The part of the declaration concerning the standard of living of the workers was amplified in a separate resolution.

This general Draft Convention is intended to serve as the basis of a series of Conventions each applying to one or more specific classes of employment.

The Nineteenth Session of the Conference adopted one measure of this kind, applying to glass bottle manufacture; it also considered several other drafts and decided to request the Governing Body of the International Labour Office to consider the possibility of placing on the Agenda of subsequent Sessions of the Conference the reduction of hours of work in a number of other industries, including the textile industry.

A resolution on the textile industry, moved by Mr. Hayday, British Workers' Delegate, and adopted by the Conference by 63 votes to 27 runs as follows:

"Whereas the conclusion of international agreements with regard to working hours is of particular importance for those industries depending for their prosperity on international markets;

"And whereas the textile industry, from the standpoint of organisation, heavy percentage of juvenile and female workers,

rationalisation, high state of mechanical efficiency and intense international competitive character, calls for urgent consideration with a view to the introduction of reduced working hours throughout the industry;

“The Conference requests the Governing Body of the International Labour Office to consider the desirability of placing the question of the reduction of working hours in the textile industry on the Agenda of the 1936 Session of the Conference.”

In considering the action to be taken on this resolution the Governing Body, at its Seventy-third Session (October 1935), decided by 17 votes to 6 to place the question of the reduction of hours of work in the textile industry on the Agenda of the Twentieth Session of the International Labour Conference (1936). The Governing Body also decided that the question should be regarded as a single item on the Agenda, and that the term “textile industry” should be held to cover all branches of the industry (wool and worsted, cotton, silk, rayon, linen, hemp, jute, etc.), but that the manufacture of rayon yarn, in so far as operations based essentially on a chemical process are concerned, should be excluded from consideration in the report to be prepared by the Office.

Lastly, the Governing Body decided that this Report placed before the Twentieth Session of the Conference should be such as to enable it either to follow the usual procedure of holding a first discussion at that Session, or to take a final decision on the adoption of a Draft Convention if this were considered desirable.

The present Report, therefore, consists of two parts. Part I contains an account of existing regulations for the limitation of hours of work in the textile industry, and an examination of the problems arising in connection with the drafting of international regulations. It concludes with a list of points on which the Office suggests that Governments might be consulted should the Conference decide to follow the usual procedure.

This part of the Report deals only with the regulations special to the textile industry, but a summary of the laws and regulations governing hours of work in several countries applicable to industry as a whole and not merely to the textile industry is given as an appendix. In making this distinction the Office is continuing the practice followed in preparing the grey-blue reports on hours of work submitted to the Nineteenth Session of the Conference.

The national laws and regulations analysed are, in the first place, those of the principal countries producing industrial textile goods; that is to say, those shown by recent statistics as having more than fifty thousand workers employed in the industry. These are:

Austria, Belgium, China, Czechoslovakia, France, Germany, Great Britain, India, Italy, Japan, the Netherlands, Poland, Switzerland, the United States of America, and the U.S.S.R.

In addition to these countries, several others for which adequate data were available have also been included, namely: Australia, Estonia, Hungary, Mexico, New Zealand, Rumania, Spain, Sweden and Yugoslavia.

Part II of the Report contains a commentary on the proposed Draft Convention suggested by the Office for consideration by the Conferencee should the latter decide to take a final decision on the question before it.

PART I

BASIS FOR A FIRST DISCUSSION

I. — NATURE AND ORGANISATION OF THE WORK

The textile industry consists in the manufacture of yarn and piece goods, hosiery, lace, net of various kinds, etc., mainly for the purposes of clothing and furnishing.

The manufacture of textiles begins with the cleaning and refining of the raw materials and ends with the finishing of the manufactured products mentioned above. It comprises several groups of operations which are not always separate and which may roughly be classified in four different stages (1) cleaning, softening, and preliminary preparation of the fibre, (2) drawing and twisting the fibre into yarn, (3) weaving, (4) bleaching, dyeing, printing and finishing the fabric. Some of the processes in the last group are sometimes carried out on the yarn before it is woven.

These four groups cover all the operations performed on wool, cotton, silk, linen, hemp, and jute, on textile materials less commonly used such as ramie, sea silk, etc., as well as on artificial silk—which will be designated by the term “rayon” in this Report—and other synthetic fibres, with the exception, however, of the manufacture of rayon yarn which is based on a purely chemical process.

The following branches are usually excluded (1) the weaving of materials which may be regarded as thread, but the preparation of which has nothing in common with the technique of spinning, e.g. straw, esparto grass, etc., (2) processes for the impregnation or coating of cloth for special purposes, e.g. oil cloth, rubberised cloth, etc.

* * *

As the various textile fibres have very different physical characteristics, methods of spinning necessarily vary according to the fibre used. In weaving, however, the principles are the same for all kinds of textiles.

As regards spinning, different methods are used for silk, for the harder fibres (hemp and flax), and for cotton and wool respectively.

In the manufacture of silk the process of spinning consists in unwinding the continuous thread of the cocoon and in joining several of these threads without twisting; the raw silk thus obtained is then made into one thread by drawing and twisting (throwing) after scouring with soapy water.

Flax and hemp fibres are much shorter, and as they are stuck together and to the outside of the plant they first have to undergo various processes for separating, cleaning, and softening them. These processes are retting (treatment by physical, chemical or bacteriological agencies), scutching or hackling, and combing. The subsequent operations are the same as those performed on wool and cotton after carding.

Cotton and woollen fibres are not more than about eight inches in length, but they are not stuck together and have a certain natural flexibility. The first step is that of opening the bales and breaking them up, which eliminates most of the foreign bodies contained in them, followed in the case of wool by scouring with luke-warm water and an alkaline solution to remove the grease. Next comes carding, which completes the cleaning of wool and cotton, and combing, which separates the long fibres from the short. The textiles leave the carding and combing machines in the form of a sheet of clean fibres arranged in parallel rows, which by passing through a series of drawing frames are transformed into a gradually narrowing ribbon or thread. Spinning produces the yarn proper by a final process of drawing and twisting, and is performed by spinning frames of two main types: continuous frames, on which the drawing of the thread proceeds uninterruptedly owing to the fact that the bobbins containing the thread and that on which the yarn is wound revolve at different speeds, and mule or self-acting frames on which the thread is drawn by the movement of the bobbin carriage. In both cases, twisting is effected by the rotation of the bobbins and a device for guiding the thread.

By weaving is meant the process of transforming the yarn into fabric. The first step is warping, which consists in stretching a number of parallel threads to form the warp between the beams of the loom. These warp threads are passed through rings or eyes, attached to a system of controls, and form two layers which are alternately raised and lowered by means of strings. At each rise and fall of the loom a shuttle is passed between the two layers either automatically or by hand; this contains a spool holding the weft

thread, which passes from left to right and *vice versa* to form the fabric by interlacing with the warp threads.

Bleaching, dyeing, and finishing may be performed either on the yarn or on the finished cloth. The processes involved are very largely chemical.

Finishing includes physical processes such as fulling, which consists of packing and pressing the threads together by passing the cloth through rollers or under a press; singeing or burning away loose threads and hairs by heated rollers or a naked flame, and chemical processes. The latter include mercerising (treating cotton yarn with caustic soda and passing it through rollers to give it a sheen), shrinking, which is usually done by steam, and sizing, consisting in coating the cloth with a preparation which stiffens and strengthens it and gives it a gloss.

Lastly, there are also the operations of teneting, measuring, and folding.

* * *

The textile industry is equipped with very highly perfected machinery. In practically all its processes machines have more or less completely replaced human labour, although, of course, mechanisation has not everywhere reached the same level of development. In the most modern mills for the manufacture of various kinds of textiles several operations are now performed by the same machine, with a consequent speeding up of production. In the case of weaving, the extent of mechanisation varies according to the kind of goods produced. Some looms are automatically stopped by the breaking of a warp or weft thread, and the most modern type of loom isolates a broken warp thread by leaving a gap in the weft. Lastly, looms with automatically-changing shuttles and looms without quills have also been introduced.

For several reasons the quantity of labour employed in the textile industry is still comparatively high. In the first place, the machines are delicate and complex; they work at a high speed and require constant watching. Secondly, the thread is easily broken and irregularities in the working of the machines are of frequent occurrence. These irregularities (breaking of the thread in spinning frames, warping frames and weaving looms) can only be repaired by hand. Lastly, the processes of cleaning, refining, bleaching, dyeing and finishing involve a number of operations which cannot always be performed mechanically.

Besides introducing mechanical improvements, the manufacturers in certain branches of the textile industry have also tried to lower their costs per unit of production by introducing a system of two or even three shifts in order to keep their plant running for as long as possible every day. They have been led to adopt this course by the necessity of meeting the increase in fixed charges due to the large capital investments required to replace the more old-fashioned type of plant by modern automatic machines. As will be seen below, multiple shifts have been introduced in a number of countries; but owing to the persistence of the depression in the textile industry, the most recent tendency appears to be towards a reduced number of shifts. In many cases, too, the legislation prohibiting night work for women and young persons has had the effect of limiting the number of shifts which could be worked.

As the operations comprised in the manufacture of textiles proper are purely mechanical there are no technical obstacles to prevent their interruption at will, so that continuous work night and day and on all the days in the week, including Sunday, is not necessary. The chemical operations connected with bleaching, dyeing, etc., sometimes continue beyond normal hours of work, but they affect only a small number of workers (minding of boilers, turbines, oxidisation rooms; supervision of the processes of damping, dechlorination, neutralisation, etc.).

As regards the type of effort required of workers in the textile industry, those employed on the principal manufacturing machines—that is to say, the vast majority of textile workers—are not usually called upon to furnish any considerable muscular effort, a fact which explains the high proportion of female labour employed. On the other hand, both in spinning and weaving the work involves a constant effort of attention and considerable nervous strain, as well as requiring great dexterity, since it consists mainly in minding a large number of looms and joining up broken threads. In the more highly skilled occupations, particularly in the case of hand-weavers employed in the manufacture of luxury materials, the work requires greater muscular effort and more initiative, but, on the other hand, involves less nervous strain. Lastly, in many of the occupations peculiar to special branches of the textile industry the effort required is very similar to that in the principal occupations.

II. — NATIONAL HOURS OF WORK REGULATIONS SPECIAL TO THE TEXTILE INDUSTRY

1. Nature of the Regulations

In addition to general legislation on hours of work applicable to the textile as to other industries, the main provisions of which are given in the Appendix to this Report, the regulations governing the textile industry consist of either special textile provisions in the general legislation or special textile legislation (Belgium, France, Germany, India, Italy, Netherlands and the U.S.S.R.), or collective agreements or special kinds of regulations for particular countries collective rules in Germany, arbitration awards in Australia and New Zealand, employment standards in Spain, codes of fair competition in the United States,¹ awards of the Trade Boards in Great Britain and Northern Ireland.

The special provisions limiting hours of work in the textile industry in the countries covered by this Report are given below.

In *Australia* hours of work in the wool tops, woollen, worsted and cotton fabric and knitting sections of the textile industry are fixed by awards of the Federal Arbitration Court, the most important of which are dated 13 November and 18 December 1933.²

In *Austria* the regulations consist of the general Eight Hour Day Act of 17 December 1919, the administrative regulations of 28 July 1920, the Decree of 31 May 1933,³ and also of various collective agreements covering the whole textile industry in certain areas.⁴

¹ The decision issued by the Supreme Court on 27 May 1935, declaring the National Industrial Recovery Act unconstitutional has had the result of making breaches of the code provisions no longer punishable by law and even enabling the codes to be entirely disregarded.

² Federal Court of Conciliation and Arbitration. (a) Award of 13 November 1933 relating to case No. 255 of 1932 (manufacture of wool tops, woollen, worsted and cotton fabrics) applicable to the States of Victoria, New South Wales, Tasmania, South Australia and Western Australia, (b) Award of 18 December 1933 relating to cases Nos. 181 and 208 of 1932 (knitting industry), applicable to the States of New South Wales, Victoria, South Australia and Tasmania.

³ L.S. 1920 — Aus. 12.15, and 1933 — Aus. 5.

⁴ The collective agreements used in the Report relate to the following areas and branches of industry:

- (a) *Vienna and Lower Austria* — The whole textile industry, collective agreement of 21 August 1935 between the Austrian Federation of Industry, Association for the textile and clothing industries, and the Federation of Austrian Workers' and Employees' Unions, Union of workers in the textile and clothing industries.
- (b) *Tyrol* — The whole textile industry (in practice, only the cotton and woollen industries exist in this province) collective agreement of

In *Belgium* the Act of 14 June 1921 introducing an 8-hour day and a 48-hour week is applicable to the textile industry. A number of Royal Decrees¹ have laid down special regulations for the retting of flax in the linen industry, the manufacture of artificial wool,² and the sections of the textile dyeing, bleaching and finishing industry which are working exclusively on commission.³

In *Brazil* hours of work are regulated by the Federal legislation concerning the 8-hour day and the 48-hour week in industry,⁴ which contains a provision authorising the extension of the working day to 10 and of the working week to 60 hours by agreement between employers and workers or in conformity with a collective agreement, subject to the payment of extra wages. Most of the textile manufacturing undertakings in the interior of the country apply these longer hours of work.

In *China* the textile industry should normally be subject to the hours of work provisions of the Factory Act promulgated by the National Government on 30 December 1929 and amended by the Act of 30 December 1932. In a communication to the International Labour Office, dated 13 January 1934, however, the Chinese Government stated that owing to the prevailing economic conditions and the position of the labour market in China it was impossible to apply the 48-hour week strictly, but that everything possible was being done to establish the principle of a 48-hour week as defined by section 8 of the Factory Act, and that attempts to limit the working of overtime would be continued. At present hours of work are governed principally by works rules.

In *Czechoslovakia* hours of work in the textile industry are fixed at 8 per day and 48 per week under the general hours of work

6 November 1934 between the Tyrol Manufacturers' Association and the Textile Workers' Union.

(c) *Vorarlberg*. — The whole textile industry: collective agreement of 14 October 1927 between the Vorarlberg Manufacturers' Association and the Austrian Textile Workers' Federation and the Austrian Central Federation of Christian Textile Workers.

(d) *Styria*. — Substantially the cotton and wool industries. The big undertakings apply the provisions of the contracts mentioned under (a) above.

In *Upper Austria* there is no longer a general collective agreement, but only works agreements, cotton being the only textile industry. In the other Austrian provinces the textile industry is of no importance.

¹ L.S. 1921—Bel. 1; 1924—Bel. 6; 1926—Bel. 4, C and G; 1930—Bel. 4; 1933—Bel. 1; 1935—Bel. 6; 1936—Bel. 1.

² L.S. 1926—Bel. 4 E.

³ Royal Order of 24 August 1935 (*Moniteur belge*, 28 August 1935).

⁴ Decree No. 21364 of 4 May 1932 (L.S. 1932—Braz. 3).

legislation¹ The statutory provisions are amplified by collective agreements covering either the textile industry in general or separate branches in given areas or towns²

In *Estonia* the textile industry is subject to the provisions of the general Act of 10 July 1931 concerning hours of work in industrial undertakings,³ which fixes hours of work at 8 in the day and 48 in the week

In *France* hours of work in the textile industry are governed by a Decree issuing public administrative regulations for the application of the General Act limiting hours of work to 8 in the day and 48 in the week⁴ Some of the provisions of this Act were amended by a Decree of 16 January 1933, which abolished some of the facilities provided for the making up of lost time under certain circumstances and reduced the overtime allowance for unusual pressure of work from 150 to 100 hours in the year Under the provisions of the last mentioned Decree, the Minister of Labour may, in the event of extraordinary and prolonged unemployment in an industry, issue an order to suspend provisionally the utilisation of the overtime provided for in cases of exceptional pressure of work The said order must be confirmed by public administrative regulations This system was in operation until the Act of 8 April 1935 came into force authorising the Minister of Labour to suspend the utilisation of overtime by means of a simple order In pursuance of this Act a Decree of 9 April 1935 suspended the utilisation of overtime in a certain number of industries including the textile industry There are also some collective agreements, those which

¹ L S 1919—Cz 1 2 and 3

² The collective agreements used in this Report relate to the following areas and branches of industry

- (a) *Eastern and Central Bohemia* — The whole textile industry collective agreement of 11 June 1935 between the Prague Textile Manufacturers Association and the workers organisations concerned, made compulsory for 27 judicial areas by a Decree of 19 September 1935 (No 187 of 1935) issued by the Minister of Social Welfare in agreement with the Minister of Commerce
- (b) *Northern Bohemia* — The whole textile industry (Reichenberg, Gablonz, Romburg), cotton spinning weaving and finishing (Hohenelbe) linen weaving (Trautenau)
- (c) *Western Bohemia* — Weaving spinning and finishing (Asch)
- (d) *Moravia* — Wool (Brno, Neu Titschein) linen weaving (Märisch Schönberg)
- (e) *Silesia* — Wool (Jägerndorf), jute (Troppau)

³ L S 1931—Est 5

⁴ Decree of 12 December 1919 issuing public administrative regulations to apply the Act of 23 April 1919 concerning the 8 hour day to the textile industry (L S 1920—Fr 13) amended by the Decree of 16 January 1933 (L S 1933—Fr 1)

have been consulted conform with the provisions of the legislation mentioned above.

In *Germany* the Order concerning hours of work¹ lays down the principle of a 48-hour week but allows exceptions, mainly where required by the nature of the work, to be prescribed either by collective rules, or by decisions of the public authority (1) if there are no collective rules, or (2) if the collective rules provide incompletely or not at all for the extension of hours or refer the matter to the decision of the public authority.

An Order had introduced a 36-hour working week in certain branches of the textile industry.² It has been replaced by the Act concerning materials to be spun of 6 December 1935³ which provides instead of a limitation of hours of work for a quota of the materials to be used in the undertakings, whilst maintaining the limit of 36 hours as the limit above which an undertaking may not dismiss workers owing to a shortage of raw materials.

Lastly, there are also collective rules, which in some cases are entirely new⁴ and in others former collective agreements transformed into collective rules.⁵ The current regulations usually cover the whole of the textile industry in the principal economic areas. Special agreements have been concluded in some cases on the hours of work provisions of former collective agreements subsequently transformed into collective rules.⁶

In *Great Britain* the hours of work of adult male workers are not subject to statutory regulation, but for women and young persons hours are regulated by the Factory and Workshops Acts of 1901 and 1907, which contain provisions specially applicable to the textile industry, and by the Act of 1920 concerning the employment of women, young persons and children,⁷ which relates particularly to shift work.

In practice, however, hours of work in the textile industry have long been shorter than the statutory maximum, in accordance

¹ L.S. 1934—Ger. 13.

² L.S. 1934—Ger. 12 and 1935—Ger. 6.

³ *Reichsgesetzblatt* I, 7 December 1935.

⁴ Collective rules published in the *Reichsarbeitsblatt*: Districts of Wurttemberg and Hohenzollern (*RABL.* 1 (1935) VI, 8 and 6 (1935) VI, 95); Eichfeld area (*RABL.* 23 (1935) VI, 596).

⁵ E.g. (a) General collective agreement for the Rhineland section of the textile industry; (b) General collective agreement of the Textile Industry Works Alliance of Baden (25 March 1929).

⁶ E.g. hours of work agreement of 15 April 1930, supplementing the general collective agreement for the Rhineland section of the textile industry mentioned above.

⁷ *B.B.*, 1907, pp. 494-498; L.S. 1920—G.B. 9.

In *Hungary* hours of work in the textile industry are governed by works rules, in the absence of any general hours-of-work legislation. As a provisional measure, the Council of Ministers published in June 1935 an Order giving the Minister of Commerce temporary power to fix hours of work and minimum wages for specified branches of industry, but so far this power has not been exercised in respect of the textile industry.

In *India* the textile industry is covered by the Factory Act of 20 August 1934¹ fixing hours of work at 54 in the week for non-seasonal industries and 60 in the week for seasonal industries. The latter limit does not affect the textile industry, unless it is held to include the ginning and pressing of cotton before it is made up into bales which may also be included in the agricultural stage of production. As regards the statutory exceptions, it is provided that each Local Government may issue special regulations, specifying their scope and conditions of application, so that the practice of the different Provinces in respect of the textile industry must be examined.² There are no collective agreements, but some works rules which merely reproduce the statutory provisions. Lastly, in the jute industry the Employers' Association has agreed to a uniform working week of 40 hours for all its member firms.³

In *Italy* hours of work in industry were reduced below the statutory limits of 8 and 48 hours as the result of an agreement concluded in October 1934 between the Fascist Confederation of Industrial Employers and the corresponding organisation for industrial workers. This agreement provided that special agreements should be concluded for each branch of industry specifying the classes of workers in respect of whom the proposed reduction of hours was technically and economically possible. The national Federations were also to fix the basic period for the calculation of average hours. It was agreed that overtime should normally be prohibited, but permitted in the exceptional cases specified under section 11 of the Legislative Decree of 15 March 1923, No. 692⁴ (temporary exemptions granted by the Minister for certain industries), and in cases arising out of the special characteristics of each industry (urgent orders, urgent repairs, etc.). In the textile industry special agreements have been concluded for the following trades: wool,

¹ L.S. 1934—Ind. 2.

² Particulars of this kind are used in this Report for Bengal, the Central Provinces, Madras, the Punjab and the Bombay Presidency.

³ Information supplied by the Indian Jute Mills Association in October 1935.

⁴ L.S. 1923—It. 1.

cotton, jute, silk, linen and hemp, hosiery and knitting, dyeing, bleaching and printing, mercerising and kindred trades¹

This first interconfederal agreement expired on 16 April 1935 and was replaced by an agreement concluded on 23 June 1935 between the same central organisations which again provided that the national Federations concerned should fix the number of weeks over which hours of work should be averaged. It also stipulated that the national Federations might (1) agree to exemptions under conditions more favourable to the workers than those provided by the legislation (nature of exceptions, number of extra hours allowed) in respect of preparatory and supplementary work, intermittent work, technical and seasonal requirements and cases of *force majeure*, (2) provide for the reduction of hours of work in classes of employment not covered by the statutory regulations, (3) conclude agreements to regulate conditions of employment where there is a shortage of skilled labour or where it is impossible for technical or economic reasons to apply shorter hours of work, the class of workers concerned in the latter case being also determined by agreement.²

In view of the fact that the provisions of the new interconfederal agreement are substantially the same as those contained in the agreement which expired on 16 April 1935, the previous federal agreements remain in force. The categories of workers which are not covered by the new agreements are subject to the provisions of the Hours of Work Act of 15 March 1923 and of the regulations thereunder, and to the existing collective agreements, particularly those relating to the cotton³ and wool⁴ industries.

In Japan hours of work are limited by law to 11 in the day, including one hour's rest, for women and for juveniles under 16 years of age in factories regularly employing 10 or more persons or engaged in dangerous or unhealthy work.⁵ This limitation of hours, although not peculiar to the textile industry, is of particular importance for it owing to the high proportion of women employed. These hours have also been applicable from 1 September 1929 to

¹ Publications of the Fascist Federation of Industrial Workers Series A No 9 *The Reabsorption of the Unemployed*

² Cf pp 109 et seq

³ National Collective Agreement for workers in the cotton industry concluded on 30 August 1932 between the Fascist General Confederation of Italian Industry and the National Confederation of Fascist Associations of Industrial Workers

⁴ National Collective Agreement for workers in the wool industry concluded on 13 June 1930 between the General Fascist Confederation of Italian Industry and the National Confederation of Fascist Industrial Workers' Associations

⁵ L S 1926—Jap 1 B

all weaving and doubling factories using motive power, whatever the number of workers employed.¹ Collective agreements are infrequent in the Japanese textile industry.

In *Mexico* hours of work throughout the textile industry are fixed by a National Collective Agreement concluded on 28 October 1926² and made compulsory for 24 out of the 26 States by a Decree of 9 July 1932. The Federal Act of 18 August 1931 also sanctioned the fixing of a maximum working day of 8 hours for adult workers in all industrial undertakings in Mexico.³

In the *Netherlands* the textile industry is covered by the provisions of the general Act limiting hours of work to 8½ in the day and 48 in the week.⁴ In accordance with section 28, paragraph 7(b)⁵ of this Act, the Minister for Social Affairs issued an Order⁶ allowing employers in the Tilburg wool trade to employ their staff for a maximum of 53 hours weekly,⁷ and 9½ hours daily⁸ on 65 days in the year spread over 16 weeks, the total hours worked throughout the year not being allowed to exceed 2,500. At the present time there are a few wage agreements defining the application of the statutory hours of work provisions.⁹

In *Poland* the textile industry is governed by the general legislation establishing an 8-hour day and a 48-hour week.¹⁰ The collective agreements concluded for the textile industry contain no provisions concerning hours of work.

In *Rumania* hours of work in the textile industry are regulated by the provisions of the general Act of 9 April 1928 concerning hours of work and the employment of women and young persons, which introduced the 48-hour week.¹¹ Some collective agreements also exist, but these merely confirm the statutory provisions.

¹ L.S. 1929—Jap. 1 B.

² Industrial Labour Convention for the textile industry concluded in the City of Mexico on 26 October 1926.

³ L.S. 1931—Mex. 1.

⁴ L.S. 1930—Neth. 2; 1924—Neth. 5.

⁵ Under this section the normal weekly limit of 48 hours may be exceeded up to a maximum of 55 hours with the approval of the employers' and workers' organisations in the industry.

⁶ Order of 16 December 1935, valid until 31 December 1936.

⁷ Excluding married women and juveniles under 16 years of age.

⁸ Excluding married women.

⁹ (a) Association of Employers in the Textile Industry: Wages agreement of February 1935; (b) Association of Tilburg Woollen Goods Manufacturers: Wages Agreement of August 1935.

¹⁰ Act of 18 December 1919, amended by a Presidential Decree of 22 March 1928, and by the Acts of 7 November 1931 and 22 March 1933.

¹¹ L.S. 1928—Rum. 1. Cf. also Administrative Regulations of 30 January 1929 (L.S. 1929—Rum. 1); and Royal Decrees of 10 October and 19 December 1932 (L.S. 1932—Rum. 6).

In *Spain*, apart from the daily maximum of 8 hours fixed by the general legislation,¹ hours of work in different industries and occupations are regulated by "standards of employment." Such standards exist for the textile industry and cover either the whole industry in certain towns or provinces, or certain trades, in particular bleaching, or again, certain occupations.²

In *Sweden* the textile industry is covered by the general Hours of Work Act of 16 May 1930 establishing an 8 hour day and a 48 hour week.³ There is also a national collective agreement covering the whole of the Swedish textile industry.⁴

In *Switzerland* hours of work in the textile industry are regulated by the Federal Act of 27 June 1919 prescribing a working week of 48 hours in factories.⁵ Under this Act the Federal Council has power to allow the extension of hours up to a weekly maximum of 52 for urgent reasons, and in particular if through the application of the 48 hour week an industry runs the risk of being unable to withstand the competition on account of the longer hours worked in other countries.

Exceptions under this provision have been allowed for the bleaching, dyeing and finishing of cotton and rayon piece goods, and for the twisting of cotton yarn. In order to regulate the distribution of work among cotton manufacturers the Federation of Master Cotton Spinners, Weavers and Drawers has set up an Advisory Board to advise the public authority in regard to applications for overtime permits from undertakings in the cotton trade.

As regards the *United States of America*, it is difficult at the present time to give any clear account of the regulations in force in the textile industry. For women, hours of work in this industry are limited by the general legislation in 42 States, and two of these have also introduced hours regulations for workers of both sexes. Weekly hours are fixed at 48 under some of these laws and at a longer period under others.

To meet the effects of the depression, Congress adopted the National Industrial Recovery Act, which was signed by the

¹ Decree of 1 July 1931 L.S. 1931—Sp. 9

² Cf. GONZALES ROTHVOSS *Anuario Espanol de Politica social* Madrid 1934 1935

³ L.S. 1930—Swe 1

⁴ Collective Agreement of 19 March 1931, extended to 31 December 1935 between the Swedish Textile Manufacturers' Association and the Swedish Textile Workers' Association

⁵ L.S. 1919—Switz 4

President on 16 June 1933. The object of this Act was to set up the necessary machinery for a vast scheme to provide for the re-employment of workers, the reduction of hours of work, the payment of fair wages for the working hours thus reduced, and the prevention of disastrous competition and overproduction. In the textile industry codes of fair competition were signed by the President for the following branches: cotton, wool, silk, velvet, throwing, dyeing and printing of silk and rayon, textile dyeing and bleaching; and hosiery. No codes other than those mentioned were introduced for the spinning and weaving of textile goods. All the codes applying to the textile industry provide for the general application of a 40-hour week.

As a result of the decision issued by the Supreme Court on 27 May 1935, ruling that the National Industrial Recovery Act was unconstitutional, breaches of the code provisions are now no longer punishable by law and observance of the codes has thus ceased to be compulsory.

Some of the principal industries and employers' associations, however, have decided to maintain the hours of work and wage rates fixed by the codes, principally with a view to avoiding all provocation to labour disputes. Those employers who had signed the Cotton Textile Code decided on 5 June 1935 to continue to apply the wages and hours provisions laid down by the code. A report of the Cotton Textile Institute published in September 1935 indicates that 97.2 per cent. of firms in the cotton industry are applying the code provisions concerning the 40-hour week, and 98.6 per cent. are not exceeding the limits fixed for work in two shifts. For the wool textile industry, the National Association of Wool Manufacturers reported at the same date that a large majority of wool manufacturers were still voluntarily applying the provisions of the code. No particulars as to other branches of the textile industry are available at present.

In the *U.S.S.R.* the textile industry is covered by the general hours of work legislation laying down the principle of the 7-hour day,¹ which is now generally applied throughout the textile industry. The Labour Code² also provides that a shorter time-table shall be applied for workers employed in specially strenuous or unhealthy work. The Commissariat of Labour published on 10 November 1928 a list of the occupations to be covered by this provision, amended

¹ Order of 2 January 1929 as amended by Order of 22 February 1929. L.S. 1929—Russ. 3 A.

² Labour Code, 1922—L.S., 1922—Russ. 1.

hy an Order of 25 May 1929, this list includes several occupations in the textile industry

In *Yugoslavia* the textile industry comes under the Act of 28 February 1922 concerning the protection of the workers¹ which fixes hours of work at 8 in the day and 48 in the week.

The long list of regulations enumerated above shows that in nearly all the countries covered by this Report hours of work throughout the textile industry are governed either by the general legislation or by special regulations, and that in some cases the general and special provisions complete each other.

2 Scope of the Regulations

The scope of the special regulations sometimes extends over all the branches of the textile industry, sometimes over certain branches, and in exceptional cases, over certain occupations only. Whether they apply to the whole of the textile industry or only to particular branches, these regulations may cover the whole country or certain regions, or even particular undertakings.

In the following pages the scope of the various regulations is examined first as to the undertakings and secondly as to the classes of workers covered.

A — UNDERTAKINGS COVERED

In *Australia* the Federal awards considered in this Report apply on the one hand to the manufacture of wool tops, woollen, worsted and cotton fabrics, and on the other, to the manufacture of full fashioned hosiery, circular hosiery, and knitted outer and under wear.

In *Austria*, in the provinces in which the textile industry exists, the collective agreements are applicable throughout the industry.

In *Belgium* special Orders have been issued, in accordance with the provisions of the general Hours of Work Act, for undertakings engaged in the retting of flax in streams, in ponds, and in dew retting, the artificial wool industry, and the sections of the industry of dyeing bleaching, and dressing textiles which are working on commission.

In *Czechoslovakia* there are a large number of collective agreements for different areas covering either the textile industry in general or specified groups of undertakings or single undertakings.

In *France* the Decree issuing public administrative regulations for the textile industry applies to all undertakings in which wool, cotton, silk, shappe silk, hemp, jute, flax, ramie, asbestos, artificial silk and any other natural or artificial textile substances undergo any of the following processes: scutching, scouring, cleaning, sorting, grading, willowing, picking, carding, combing, spinning, twisting, throwing, winding, weaving, hosiery weaving, machine manufacture of embroidery, tulle, gimp, lace, and fine and coarse nets of all kinds, finishing, dyeing, bleaching, printing, conditioning, and any other operations connected with these processes.

In *Germany* undertakings operating on "spinning materials" are governed by an Act of 6 December 1935. These are defined as materials suitable for spinning or twisting, excluding metal thread and paper; while "manufactured spinning materials" means all finished or semi-finished goods manufactured from raw spinning materials; in particular, woven and knitted fabrics and nets, including those containing paper, rubber or metal thread. The materials subject to quota restrictions are cotton, wool, hemp, hard fibres (including coconut fibre), jute (including jute waste), excluding artificial cotton and wool. The Act does not apply to cord and twine, braid, lace and curtains, ribbons, rubber and net, and hats; while the artificial silk or wool hosiery industry is covered by the provisions regulating shift work. Undertakings or departments which do not come under the provisions of the Act on spinning materials are governed by the Order regulating hours of work.

In *Great Britain* the various national collective agreements (wool, cotton, jute, bleaching, dyeing, finishing and printing trades) contain no definition of their scope, but apply to the members of the employers' and workers' organisations between which they were concluded. The Trade Board awards, on the other hand, apply to the industry as defined by the Board.

In *India*, whereas the Factory Act of 1911 defined textile factories for the purposes of the special provisions covering the industry, the 1934 Act merely maintains a distinction between non-seasonal and seasonal undertakings, the latter category including cotton ginning and pressing mills.

The decisions of the Indian Jute Mills Association apply to all the undertakings of the members of the Association

In *Italy* the agreements between the Federations laying down the conditions for the application of the reduced working week cover the following trades wool, cotton, jute, flax and hemp, silk, dyeing, bleaching, printing, mercerising and kindred trades, miscellaneous textiles (carpets, mercerising, combing and spinning of silk waste, hemp, *gargiolo*, silk and other sewing thread), knitwear and hosiery

In *Mexico* the national labour agreement applies to the manufacture of yarn, piece goods and printed goods in the cotton, wool, hosiery, jute and kindred industries

In the *Netherlands* the wages agreements used, completing the provisions of the general legislation, apply to all the textile factories affiliated to the employers' associations parties to the agreement

In *Spain* the standards of employment already mentioned, which complete the statutory provisions, apply to the following branches the textile industry (Balearic Islands, Bejar, La Corogna, Palencia, Santander and the provinces of Saragossa Teruel and Soria), yarn spinning and kindred undertakings (Crevillente) rayon (province of Burgos), ribbon manufacturing (Catalonia), bleaching and dyeing (Barcelona)

In *Sweden* the collective agreement covers the whole of the textile industry

In the *United States* the scope of the various codes is defined in greater detail as follows

Cotton — The term cotton textile industry means the manufacture of cotton yarns, and/or cotton woven fabrics, whether as a final process or as a part of a larger or further process, and/or the manufacture of woven rayon fabrics of specified width, the spinning of which is covered by the rayon industry, or other synthetic fibres, yarn, whether finished or unfinished, and/or finishing of any of the foregoing fabrics whether woven of cotton or rayon or other synthetic fibres or of a mixture of any of these fibres with other fibres, provided that such finishing operations are carried on by (a) concerns engaged in the weaving of cotton and of rayon or other synthetic fibres, (b) concerns engaged solely in finishing cotton woven fabrics, (c) concerns primarily equipped

for and primarily engaged in finishing cotton woven fabrics which may also be engaged in finishing rayon and all other synthetic fibres, and/or the manufacture of sewing, crochet, embroidery, and other cotton darning threads.

Wool. — The term "wool textile industry" includes the following branches: the manufacture of worsted men's wear, worsted women's wear, carded men's wear and carded women's wear, blankets, cotton warp fabrics, reworked wool, knitted woollen goods, worsted yarn (French and Bradford systems), carded yarn (not including carpet or underwear yarn) and combing, wool scouring and carbonising topmakers.

Silk. — The code covers the manufacture of silk and/or rayon and/or acetate yarn, or any combination thereof, woven fabrics, or any of the processes of such manufacture except throwing. It does not include the manufacture of rayon and/or acetate yarn fabrics covered by the provisions of the cotton textile code.

Velvet. — The velvet industry covers the production and distribution of velvet by employers operating velvet looms, excluding such processes as are covered by the provisions of the rayon and silk dyeing and printing industry code.

Throwing. — The throwing industry embraces all plants of throwing machinery owned and/or operated by commission throwsters or by those throwing material for sale or for their own use and made of silk rayon or acetate yarns. The term "throwing machinery" includes any machinery when used for the twisting of silk yarns and of single or multiple rayon and acetate yarns, except the original production of rayon or acetate yarns of specified dimensions and twisted yarns of the type of bouclé, ratine, and frille usually made on double-feed roll twisters. It also includes winding, doubling, reeling and other machinery commonly used, but only when used in preparing such yarns for the twisting process or in packaging such threads after the completion of the twisting process.

Hosiery. — The code defines the hosiery industry as covering the manufacture, finishing, repairing, selling and/or distributing by manufacturers of hosiery.

Rayon and silk dyeing and printing. — This industry includes the dyeing, finishing, bleaching, mercerising, weighting, printing and other processing of rayon, silk, and/or any other mixture of these or other goods containing primarily silk and rayon, either in the piece or in the yarn. It does not include concerns engaged in

the weaving of cotton and/or rayon, whose operations come under the cotton textile code, or concerns primarily equipped for and engaged in finishing cotton woven fabrics which may also be engaged in finishing rayon and/or other synthetic fibre fabrics

Textile processing — The code enumerates the operations covered by the industry which include all the processes involved in bleaching and dyeing

B — CLASSES OF PERSONS COVERED

In the majority of countries the special regulations apply to the whole working force of the undertakings covered, with the exception of persons occupying positions of management or supervision, those in technical charge of the work or in positions of trust. The regulations for Germany, Italy, the United States and the USSR, however, also differentiate between the various classes of workers.

In *Germany* the Act on spinning materials applies only to the workers employed on the principal productive machines, i.e. combs, spinning and twisting spindles, looms, doubling and knitting machines, and carding machines in the felt and cotton wool industry.

In *Italy* the agreements between the Confederations for the separate branches of the industry specify the classes of workers to whom the 40 hour week does not apply, and who are therefore still covered by the general legislation fixing a 48 hour week. These classes are as follows:

Cotton — Jacquard weavers, workers employed on testing, numbering and sorting in spinning mills, workers employed on testing, checking (perching), numbering and sample making in weaving mills, calenderers and engravers in the finishing trade.

Jute — Workers employed in grading and batching, on breaking machines, and trimmers (warping).

Silk — In the spinning and winding section, drawing (scouring) overseers, workroom overseers, in the throwing section, workroom overseers, in the weaving section, jacquard weavers and skilled weavers of coloured goods, workroom overseers, lookers, design setters.

Flax and hemp — Graders, hand combers, yarn bleachers and jacquard weavers.

Dyeing, finishing and mercerising. — Engravers.

Knitwear and hosiery. — Chief women hands, male helpers and storekeepers.

No distinctions are made in the wool industry.

In the *United States* several of the codes make a distinction between workers employed on productive machinery and other classes of workers in fixing hours of work or specifying the number of shifts that may be worked. Under the cotton code, productive machinery includes spinning spindles, looms, printing machines, piece dyeing machines, where used for unprinted fabrics, starching and drying machines operating on fabrics and not on raw stocks or yarn, when used for the major operation in the production of plain bleached or unbleached fabrics which are not dyed or printed, all machinery used for spooling or winding as a final process to produce cotton thread ready for sale, winding machines, reelers and other machines used in the production of mercerised yarn only.

The code for the silk textile industry specifies that productive machinery includes looms, throwing machines, reeling and winding machines, etc.

In the throwing industry, a distinction is made between productive and non-productive employees, but without any closer definition.

In the velvet industry, the productive machines are the velvet looms.

In the rayon and silk dyeing and printing industry, productive machinery comprises only printing machines, finishing machines and dyeing plant.

In the *U.S.S.R.* the occupations for which shorter daily hours are prescribed owing to the heavy or unhealthy nature of the work are as follows: dilution of chloride of lime; wool steepers and willow machine minders where there is no local ventilation; pantograph and engraving work and designing in calico printing factories; etching in the engraving departments of calico printing factories where the local ventilation is inadequate.

The general tendency of national legislation thus appears to be to fix hours of work for the textile industry as a whole. If the other forms of regulation often fix hours of work for separate branches of industry, this is due to the fact that they contain, besides hours of work provisions, clauses relating to wage rates which naturally differ from one branch of the industry to another, according to the kind of work involved.

Nearly all the regulations apply to the whole working force of the undertaking rather than to one or more specified occupations, and the classes of persons excepted in the undertakings covered are very few in number.

3 Definition of Hours of Work

Although none of the regulations considered define what is meant by "hours of work" in the textile industry, it may be assumed that in this as in most other industries the provisions apply to the time during which the workers are at the employer's disposal, excluding rest periods during which they are not at his disposal. Sometimes it is specified that the worker must start and leave off work when the signal is given for the undertaking.

Regulations which nominally provide for working hours of the same length may, however, cover certain differences in actual working hours according to the arrangement adopted in respect of the time required for the cleaning of machinery. This is a matter of special importance in the textile industry, in which the spindles, mules and looms need frequent cleaning to keep them in proper working order.

In *Australia* the arbitration awards for the wool, cotton and hosiery industries prescribe that where practicable each machine must be stopped while being cleaned the cleaning to be done in working hours by the employee whose duty it is.

In *Austria* the collective agreement for the textile industry in Vienna and Lower Austria expressly states that cleaning time is included in the ordinary working week of 48 hours without, however, specifying how long should be allowed for this purpose. It also provides that the cleaning of machinery may be done by special gangs.¹ The collective agreement for the textile industry in Vorarlberg provides that cleaning time may be included in normal hours of work or not in the latter case it must be paid for as overtime.

In *Belgium* the working week usually includes a 49th hour for the purpose of cleaning machinery.

¹ There are certain cases in which the problem of cleaning time does not arise because the cleaning and oiling of machinery is done by special gangs outside normal hours of work so that the skilled spinners and weavers can devote themselves entirely to productive work.

In *Czechoslovakia* cleaning time is included in the 48-hour week by some collective agreements and excluded by others. In the latter case it is usually paid for at a higher rate.

In *France* the Decree issuing public administrative regulations for the textile industry allows the following permanent exceptions in respect of the cleaning and oiling of machinery.

Operation	Extension allowed	Workers covered
Oiling the main shafting.	2 hours beyond the weekly limit of the general work of the undertaking.	Adult men.
Cleaning machinery, frames and all other productive plant.	1 hour beyond the weekly limit of the general work of the undertaking.	All workers.
Cleaning frames in connection with the spinning of flax, hemp, jute, ramie, and substitutes for these; cleaning self-acting mules in cotton spinning.	1½ hours beyond the weekly limit of the general work of the undertaking.	All workers.
Oiling self-acting mules in wool spinning.	15 minutes beyond the daily limit of the general work of the undertaking.	All workers.

In *Germany* the Act on spinning materials contains no provision concerning cleaning time.

The hours of work agreement appended to the old standard collective agreement for the Rhineland textile industry, the provisions of which are presumably still observed, provides that "workers employed solely on cleaning operations (*Reinigungsarbeiten*) shall receive extra pay for any hours worked in excess of 48 and up to 54 hours weekly (up to 51 hours from 1 December 1927). Extra pay must also be granted for cleaning time (*Putzstunden*) with due regard to the different methods of remuneration." It seems therefore that cleaning time is not normally included in the 48-hour week.

In *Great Britain* a special agreement concerning cleaning time in the cotton trade was made in February 1918.¹ This agreement distinguishes between the Oldham and Bolton type of mule and lays down the following rules for three different areas:

¹ Agreement made on 7 February 1918 between the Federation of Master Cotton Spinners' Associations and the Amalgamated Association of Operative Cotton Spinners, on the question of the operative spinners' claim *re* cleaning time.

Spinners	Oldham type mule	Bolton type mule
Ashton Area	2 hours weekly (including the half hour on Saturday from 11 30 to 12 noon)	2 hours weekly
Bolton Area	—	15 minutes more than the cleaning time specified by the agreement of 1893
Oldham Area	2½ hours weekly	3½ 3½ hours weekly according to the thread
Twiners		
Areas unspecified	1½ 2 hours, including the half hour on Saturday between 11 30 and 12 noon, according to the kind of thread	

As a rule the time occupied in cleaning productive machinery is included in the regulation normal hours of work. The hours specified are maximum hours which are not always worked in full.

In *Hungary* the works rules, which usually fix six hours of work at 57 in the week, provide that the last hour shall be devoted to cleaning.

To sum up, therefore, some regulations provide that the workers must clean the productive machinery within their nominal hours of work and others that cleaning must be done outside normal hours. Accordingly, if the nominal working week is 48 hours and 1 or 2 hours are spent on cleaning, the actual weekly hours worked will be 48 in the first case and 49 or 50 in the second. As stated above, therefore, the actual situation may differ from one country to another, although their nominal hours of work are the same.

In *Italy* the time required for cleaning productive machinery must be taken during the normal hours of work.

In *Spain* cleaning time of productive machinery must be included in the normal working hours of the worker.

4 Limits of Regulation Normal Hours of Work

As a rule, hours of work in the textile industry are limited by the week. The normal hours prescribed by the special regulations for the textile industry in different countries are given in the table on pages 34-35.

To complete the particulars given in this table, it may be added that in Austria, Belgium, Brazil, Czechoslovakia, Estonia, Germany, India, Italy, Japan, Mexico, the Netherlands, Poland, Rumania,

Spain, Switzerland, the United States, the U.S.S.R. and Yugoslavia, the general hours of work legislation is applicable, whether it covers workers of both sexes or women only. Most of these national laws limit the normal working week to 48 hours, but some provide for the possibility of longer or shorter normal hours.

In *Brazil* the Decree regulating hours of work lays down the principle of an 8-hour day and 48-hour week, but allows the normal extension of hours up to 60 in the week, by agreement between employers and workers and subject to the payment of overtime rates for all hours after the 48th. This extended working week is widely applied in textile undertakings in the interior, but the 48-hour week is usual in the Federal District.

In *Germany* the Act concerning spinning materials does not set a maximum limit to weekly hours of work, but provides that undertakings to which quota restrictions for raw materials apply may not dismiss their workers in the event of a shortage of raw materials unless not more than 36 hours weekly were worked during the four weeks preceding the dismissals and none of the workers employed on productive machinery worked for more than 36 hours in the week.

In *India* the normal statutory hours are 54 in the week. The only exception to these regulations is in the case of the jute industry, in which, under an agreement made between the members of the Indian Jute Mills Association, the associated firms work one 40-hour shift per week. Longer hours are worked in the mills which do not belong to the Association.

In *Mexico* a system known as the "mixed working day" is applied which includes periods of day work and night work, provided that the period of night work is less than three and a half hours. The maximum duration of the mixed working day is seven and a half hours; for night work the maximum duration is fixed at seven hours.

In *Switzerland*, as already stated, the Federal Factory Act authorises the extension of weekly hours up to a maximum of 52 if this is justified by urgent necessity, and in particular, if through the application of the 48-hour week an industry runs the risk of being unable to withstand competition on account of the hours worked in other countries. This provision has been widely applied, particularly in the cotton industry.

In the *U S S R*, where a 7 hour day has been introduced by the general legislation and the working week consists of 5 or 6 days instead of 7, the Labour Code prescribes a still shorter working day for persons employed in particularly strenuous and unhealthy occupations. In pursuance of this provision the Commissariat of Labour published on 10 November 1928 a list of occupations (amended by a later Order of 25 May 1929) in which a shorter working day is to be applied, including the following occupations in the textile industry, dilution of chloride of lime, wool steppers and willow machine minders where there is no local ventilation, pantographers, tracers, and engravers, and designers in calico printing works, etchers in the engraving departments of calico printing works, where there is no adequate local ventilation. Hours of work in these occupations vary between 6 and 7 in the day.

Besides a normal weekly limit, the general regulations and some of the special regulations also prescribe a normal daily maximum of 8 hours. Exceptions are, however, allowed in certain cases.

In *France*, for instance, the public administrative regulations allow a daily limit of 9 hours in the case of an unequal distribution of the forty eight hours of actual work between the working days in order to admit of a Saturday afternoon rest. The daily maximum may attain 10 hours if working hours are distributed over the first five days of the week, but this arrangement is only allowed in the dyeing, finishing and bleaching trades and in the printing of piece goods, spun goods or yarn, in *Great Britain* the national agreement for the bleaching trade allows the working of up to 11 hours per day.

To sum up, therefore, subject to the relaxation of the restrictions in the cases mentioned above, the normal regulation hours of work in the textile industry in nearly all non Asiatic countries (with the exception of one country in which the textile industry is of minor importance) do not exceed 48 in the week. Moreover, four of the most important textile manufacturing countries have adopted a normal time table of not more than 40 hours weekly, either throughout the industry or for the greater part of it (Germany, Italy, the United States and the *U S S R*). It is only in the Asiatic countries that regulation hours of work are usually more than 48 in the week, but here again a tendency to reduce hours is observable. In India the working week was reduced from 60 to 54 hours at the beginning of 1935 by the general legislation, and only 40 hours are worked in most jute mills. In Japan the 1929 Act prohibiting

REGULATION NORMAL HOURS OF WORK IN THE TEXTILE INDUSTRY

Country	Nature of regulations	Scope	Normal hours
Australia	Arbitration awards.	Wool, cotton, and hosiery.	44 hours per week.
Austria	Collective agreement.	Textile industry in general (Vienna and Lower Austria, Upper Austria, Tyrol, Vorarlberg, Styria).	48 hours per week.
China	Works rules.	Cotton and silk. Wool in general. Rug factories.	11-12 hours per day. 10 hours per day. ¹ 13-16 hours per day.
Czechoslovakia	Collective agreements.	Textile industry in general (Eastern and Central Bohemia, Northern Bohemia, Western Bohemia); cotton (Hohenelbe); wool (Moravia and Silesia); flax (Northern Bohemia and Moravia); jute (Silesia).	48 hours per week.
France	Decrees.	Textile industry in general.	48 hours per week.
Germany	Collective rules.	Textile industry in general (Eichsfeld, Württemberg and Hohenzollern, Rhineland, Baden).	48 hours per week. ²
Great Britain	Collective agreements and orders.	Cotton, wool, jute, hemp and linen, bleaching and dyeing trades throughout the country.	48 hours per week.
Hungary	Works rules.	Textile industry in general.	57 hours per week.

Japan	Works rules	two trades throughout the country	8 hours per day ¹
Mexico	National agreement	Cotton Silk Hemp	10 hours per day 10 hours per day
Netherlands	Wages agreements	Textile industry in general	48 hours per week
Rumania	Collective agreements	Textile industry in general and wool industry in particular	48 hours per week
Spain	Standards of employment	Various branches of the textile industry	48 hours per week
Sweden	Collective agreement	Textile industry in general	48 hours per week
United States of America	Codes of fair competition	Cotton, silk, silk throwing, rayon and silk dyeing and printing, velvet, bleaching and dyeing, hosiery operatives and clerical workers	40 hours per week
		Wool operatives Clerical workers	40 hours per week 48 hours per week

¹ In one case only 8 hours

² For Elstfeld possibility of extension up to 51 hours

³ The Japanese textile industry is covered by the Factories Act which limits the hours of work of women and juveniles under 16 years to 10 per day. Owing to the high proportion of female labour employed in the textile industry, this restriction has affected the hours of male workers and the general hours in the industry may therefore be regarded as 10 per day (11 hours of attendance and 1 hour's break) throughout the textile industry. Where two or more shifts are employed, however, hours of work are different.

night work for women, applied to the textile industry in 1931, brought about an immediate reduction in hours of work in several branches of the industry. Lastly, in China the general legislation has laid down the principle of a 48-hour week, although this has not yet been applied in the textile industry.

5. Distribution of Hours over Several Weeks

Certain special regulations of some of the important textile manufacturing countries allow hours of work to be calculated as an average over a period longer than a week.

In *Belgium* special arrangements are made for the distribution of working hours in the retting of flax in streams and ponds, in dew-retting, in the artificial wool industry and in sections of the industry of dyeing, bleaching and dressing textiles which are working exclusively on commission.

As regards the retting of flax in streams and ponds, the Royal Orders of 15 January and 21 June 1924 respectively, supplemented by the Royal Order of 29 July 1926, considering that the operations in question are seasonal industries, authorise a different distribution of working hours during the period from 15 April to 15 October, provided that hours of work do not exceed 1,200 hours in all or 9 hours a day during this period. It is further specified that heads of undertakings shall enter day by day in a special register the number of hours actually worked by each worker.

In the dew-retting of flax the Royal Decree of 15 May 1930, based on the same considerations, permits the distribution of hours of work as follows: from 15 January to 15 October hours of work may not exceed a total of 1,800 hours or 9 hours a day. Heads of undertakings are required to record the hours actually worked in the same manner as prescribed for retting in streams and ponds.

In the manufacture of artificial wool the Royal Order of 29 April 1926 authorises a prolongation of hours of work by 100 hours a year subject to a maximum prolongation of 2 hours a day.

Finally, the Royal Order of 24 August 1935 for the industry of bleaching, dyeing and printing of textiles working exclusively on commission declares that the normal working hours laid down by the law are inapplicable and that the length of the working day may

be increased to 9 hours provided the normal weekly limit of 48 hours, calculated over a period of two weeks, is not exceeded.

In *France* on the demand of organisations of employers and workers in the trade in a given locality or region, ministerial orders issued after consultation with all the organisations concerned and reference to the agreements concluded between them, may authorise an equivalent arrangement of the limitation of the actual hours of work to 8 hours per working day in each week or to a maximum of 9 hours a day in order to admit of a Saturday afternoon rest. This new arrangement may be based on a different period or substitute another free afternoon for the Saturday afternoon rest, but such an arrangement cannot be established definitively unless decreed in the form of public administrative regulations. It should be noted, however, that so far no use has ever been made of this exception.

In *Great Britain* the collective agreements for the bleaching and dyeing trades recognise that owing to the peculiar needs of the dyeing trade it is difficult to adhere to a rigid 48 hours, and therefore provide that the 48-hour week shall be taken as a basis of calculation, not more than 60 hours being worked by any worker.

In *Italy* the general Interconfederal Agreement leaves to the national confederations concerned the task of fixing the number of weeks to be taken as the basis for the calculation of average hours. This basis of calculation has been set at a maximum of six weeks for all branches of the textile industry. The agreement for the miscellaneous textile trades, however, provides that in the silk waste combing and spinning industry this period may be extended to 12 weeks after consultation with and subject to the approval of the provincial associations. In the hosiery trade, the agreement provides that average hours may be calculated over a period not exceeding 8 weeks (or 4 periods of a fortnight each) for workers on ordinary looms.

In the *Netherlands* an Order issued by the Minister for Social Affairs on 16 December 1935 in pursuance of section 28, paragraph 7, of the Hours of Work Act of 1930 authorises firms in the Tilburg wool industry to employ their workers for not more than 53 hours in the week and 9½ hours in the day on 65 days in the year spread over 16 weeks, the hours worked throughout the year not to exceed 2,500. This method of distributing annual hours of work does not apply to married women, or to juveniles under

16 years, although the latter may be required to work 9½ hours in the day.

In the *United States* the average hours of office employees in the cotton industry are calculated over a basic period of six months. Under the silk code, the hours of work of employees other than those engaged in production, and excluding repair shop crews, engineers, firemen, shipping crews and supervisory staff, are calculated over a 12-week period. In the velvet manufacturing industry, the basic period for the same categories is three months, and in the wool textile industry 13 weeks. In the rayon and silk dyeing and printing industry the hours of the clerical staff are calculated on a six-monthly basis with a weekly limit of 48 hours, and in the textile processing industry the weekly hours of all employees are averaged over the 12 months in the year, an extension of the normal 40-hour week up to a weekly maximum of 48 hours being allowed for 20 weeks in the year.

Thus in Italy the regulation hours may be calculated as an average in all the branches covered, whereas in Great Britain, the Netherlands and the United States this facility is allowed in respect of certain branches of the industry or certain classes of workers only.

6. Shift Work

The introduction of automatic looms in the years following the war affected the working hours of undertakings in ways very similar to the industrial revolution, leading manufacturers to seek means of running their plant for the longest possible hours.

Particulars of the extent to which a two- or three-shift system is applied in the various countries and of the hours of work under the system are given below.

In *Australia* the awards for the wool, cotton and hosiery sections authorise the working of several shifts, and make provision for the organisation of four shifts when work is continued day and night.

In *Austria* the collective agreements for the textile industry in Vienna and Lower Austria and in Vorarlberg provide that in undertakings working two or three shifts of 8 consecutive hours the workers must be allowed a break for meals, counted as part of working hours, without stopping the machinery, the length of this break to be fixed by the undertakings themselves.

In the hemp industry two shifts were employed during 1935 on scutching, carding and other preparatory operations, while the spinning mills worked one or three shifts. In the jute industry only the one-shift system is applied.

In Brazil a report on conditions of employment in the textile industry in the Federal district drafted by the National Department of Labour in 1935 states that the three-shift system is applied in a certain number of undertakings, the day shift working $8\frac{3}{4}$ hours and the two night shifts $6\frac{3}{4}$ hours each. Where two shifts are employed, the first works 8 hours and the second 7.

In China, according to information supplied by the General Secretary of the Chinese Cotton Manufacturers' Association, a system of two shifts is normally applied in Chinese cotton mills. A system of three 8-hour shifts was introduced some years ago in a large mill at Tientsin but has since been abandoned. A single shift appears to be worked only in undertakings which are obliged for urgent reasons to suspend their normal work. Where the two-shift system is in force, each shift is present at the factory for 12 hours, but actually works for only 11 hours. In the wool industry particulars obtained in 1935 indicate that the great majority of undertakings work a single 10-hour shift, the two-shift system having apparently fallen into disuse during recent years.

In Czechoslovakia the collective agreement for the wool textile industry in the Brno area allows the working of two shifts in the case of workers living in or near Brno provided that the railway services are good enough to enable them to travel to and from their work without an undue waste of time. Working hours under the two-shift system are 8 or 9 in the day, including a 15-minute break during which the machinery continues to work. Where night shifts are worked the working week must be restricted to five nights' work.

The collective agreement for the textile industry in the districts of Asch, Eger and Königsberg (Western Bohemia) provides that the work may be performed in several shifts of 8 hours each, subject to agreement. The hours of operatives working under the two-shift system in Reichenberg area are 40, 44, 45 or 48 in the week.

In France when work is organised in successive shifts the work of each shift must be continuous, except in so far as it is interrupted by breaks. Notwithstanding this the divisional inspector of labour may authorise the organisation of shifts not working

continuously in the fine net, gimp and lace trades, in cases where the organisations of employers and workers concerned put forward a demand for the exception by agreement.

In *Great Britain* the two-shift system was abandoned in the cotton trade after the war. A few mills in the Manchester area tried to reintroduce it in 1931, but met with opposition from the United Textile Workers' Association. The two-shift system was, however, applied in some of the undertakings in the wool and rayon trades. Most shifts work 8 hours, but as this period must include a break of at least half an hour for meals, the hours actually worked by each shift are only $7\frac{1}{2}$ per day. As work stops at 2 p.m. on Saturday, the working week of workers on the morning shift is only 43 hours ($7\frac{1}{2}$ hours on five days in the week and $5\frac{1}{2}$ hours on Saturday), and that of the afternoon shift only $37\frac{1}{2}$ hours. The shifts change over every fortnight, so that the average working week of both shifts is $40\frac{1}{4}$ hours.¹

In *Hungary* information supplied by the National Association of Textile Manufacturers² shows that a number of spinning mills work either two shifts of 9 and $9\frac{1}{2}$ hours or three 8-hour shifts. Out of some 16,600 workers employed in the whole cotton textile trade, about 4,500 are employed under a multiple shift system in cotton spinning mills. In the wool-spinning and wool and cotton weaving sections, and in some twisting mills, the two-shift system is also practised to some extent.

In *India* shift work is practised to a varying extent in different industries and provinces. The following particulars were supplied to the International Labour Office by the competent factory inspectors for the purposes of this Report.

Bengal

	Number of persons working under				Total
	1 shift	2 shifts	3 shifts	More than 3 shifts	
Jute mills . . .	234,495	463	1,584	15,199	251,741
Cotton mills . . .	7,024	10,332	—	8,235	25,591

¹ Cf. H. M. VERNON, "The Development of the Two-Shift System in Great Britain"; *International Labour Review*, Vol. XXIX, No. 2.

² Communication to the I.L.O., 1 August 1935.

In jute mills the hours of work of persons employed on a shift system were as follows:

Two shifts: 8½ hours daily and 51 hours weekly;

Three shifts: { 9 hours daily and 54 hours weekly;¹
{ 6 hours daily and 36 hours weekly;²
{ 8 hours daily and 48 hours weekly;²

More than

three shifts: 10 hours daily (4 hours on Saturday) and
54 hours weekly.

In cotton mills working two shifts the hours worked were 9 daily and 54 weekly. In those working more than three shifts, hours were as follows:

9 daily and 54 weekly;¹

8 daily and 48 weekly;²

6 daily and 36 weekly.²

Madras. — In 1935, there were in the textile industry 26,880 workers working in a single shift, 25,929 working in two shifts, and 3,808 working in three shifts, hours of work being in no case shorter than the statutory maximum.

Punjab. — Of the thirteen textile mills in the Punjab, eight worked under a single shift in 1935 and the other five had recourse to a second shift only in the case of exceptional pressure of work. No mills worked three shifts.

Bombay Presidency. — The number of persons working under the one-shift or multiple-shift system in the cotton industry in 1935 was as follows: one shift, 226,449; two shifts, 39,681; three shifts, 609 (making a total of 266,739). The hours of work in 69 out of the 71 factories working two shifts were the same as in single-shift factories, i.e. 9 hours daily; in the remaining two mills the hours worked for second shifts were 8½ and 8 respectively. There were in 1935 only six factories working three shifts.

Central Provinces. — The particulars for 1935 show that no cotton mills worked more than one shift.

In Italy the collective agreements for the wool, cotton and silk industries provide that where multiple shifts are worked the

¹ Majority of workers.

² Relieving shifts.

duration of each shall be 8 hours; this includes a half-hour break so that the actual hours of work are $7\frac{1}{2}$. The introduction of the 40-hour week has obliged undertakings working two shifts to change their system of rotation. Whereas under the 48-hour week each shift worked 8 hours daily on six days in the week, with the 40-hour week the number of shifts and time-table remain the same, but hours are reduced by means of a system of rotation among the workers. The working force of the undertaking is divided into five groups and a sixth group formed by re-engaged unemployed workers. These groups alternate with each other every week, so that they are employed for five 48-hour weeks out of every six, and as each group rests in turn for one week out of the six, they work a total of 240 hours or an average of 40 hours weekly. Another system applied in the Italian textile industry is that of working three 6-hour shifts between 5 a.m. and 11 p.m.; as each worker works 6 hours daily on six days in the week, the working week is reduced to 36 hours.

The Fascist Confederation of Industry has also communicated to the International Labour Office figures for the year 1935 relating to the cotton, silk and rayon industries, as follows:

	Number of persons working under			Mixed system		
	1 shift	2 shifts	3 shifts	1st and 2nd shifts	1st and 3rd shifts	1st, 2nd and 3rd shifts
Cotton: Spinning	18,600	45,800	2,700	—	—	—
Weaving	32,700	34,500	4,800	—	—	—
Silk: Spinning	22,386	674	—	3,044 + 2,363	157 + 6	624 + 120 + 60
Weaving	3,613	390	6	764 + 676	—	—
Rayon: Weaving	4,171	2,848	35	1,401 + 765	64 + 80	2 + 8 + 11
Silk and rayon: Weaving	499	107	—	141 + 116	—	—

It is also stated that in the cotton industry hours of work in undertakings working two or three shifts are $37\frac{1}{2}$ in the week, paid for as 40.

In the silk industry, the data furnished, which are given below, relate to the number of undertakings and not to the number of workers covered:

	Number of undertakings working daily													
	In two shifts								In three shifts					
	8 h.	7h.30	7h.15	7 h.	6h.45	6h.30	6 h.	5 h.	8 h.	7h.30	7 h.	6 h.	5h.20	5 h.
Weaving	7	10	4	20	3	11	14	1	—	—	—	1	1	—
Spinning and throwing	34	8	—	10	8	—	5	1	9	2	1	3	1	1

In *Japan* most cotton spinning mills work two 9-hour shifts, which include a half-hour break. Cotton weaving mills in the district of "Shizuoka" work two 11-hour shifts, including a break of one hour, so that each shift actually works 10 hours. Both shifts work simultaneously for a certain period during which one of them is employed on preparatory work. In silk spinning factories working two shifts working hours are usually 9 in the day, including a half-hour break for rest. In silk-winding and in silk-spinning factories, one 11-hour shift is usually worked, which includes a break of one hour. In rayon spinning factories the work is usually organised in the same way as in silk and cotton spinning mills and in rayon weaving factories in the same way as in the silk weaving factories. Multiple shifts do not appear to be worked in the hemp and flax industry.

In *Mexico* the national agreement regulates hours of work under the multiple shift system as follows: (a) unskilled workers, 8 hours; (b) skilled workers, 8 hours for the first shift and 7 hours for the second and third shifts, making a total of 42 hours weekly.

In *Poland* the Minister of Labour grants permits for the working of three shifts only under exceptional circumstances, in particular for the completion of urgent orders for foreign markets. Two shifts may be worked without special permission, if work does not continue through the night.

In *Spain*, according to information furnished by the Secretary of the Spanish Federation of Textile and Kindred Industries, it is difficult to ascertain the number of undertakings working on the single-shift and multiple-shift systems respectively; but where two shifts are employed, weekly hours of work are 45 for each and where

three shifts are employed, 42 hours for each. These conditions obtain throughout the textile industry, including the cotton, jute, wool, silk, rayon and flax sections.

In *Sweden* the national collective agreement provides that if more than one shift is worked hours of work shall still be 48 in the week; but they may be calculated as an average over three weeks subject to previous agreement between employers and workers.

In the *United States* the regulation hours for workers under the multiple-shift system are the same as for those employed on a single shift, except in the hosiery industry where a 36-hour week, paid for as 40 hours, is prescribed if double shifts are worked. The number of shifts is limited in all branches of the industry; as a rule, the codes prohibit the working of productive machinery for more than two 40-hour shifts each week.

In the *U.S.S.R.* work in the textile industry is usually organised in two shifts. In 1933 the total number of man-days worked expressed as a percentage of the normal average of man-days worked in single shifts was 202.4 per cent. in the cotton industry and 202.2 in the wool industry.¹

In *Yugoslavia*, according to figures communicated in 1935 by the Ministry of Social Welfare and Public Health, 3,657 workers were employed in a single shift, 9,202 in two shifts, and 2,726 in three shifts in the textile industry, in the areas of Morava, the Save, the Coastal Area, the Vardar, and Belgrade. The normal 8-hour day is not affected by the employment of several shifts.

It is clear from these particulars that the multiple shift system is fairly widespread in the textile industry, in particular in the big producing countries of the Far East. The three-shift system, however, seems to be less frequent than the two-shift system, owing to the fact that the provisions of the international Conventions and national legislation prohibiting the employment of women and children during the night throughout industry have prevented the development of the three-shift system in the textile industry, which employs a high proportion of female labour.

In some countries, too, the serious crisis in the textile industry, which appears to be very largely due to over-equipment, has led

¹ Statistics of the Central Board of Economic and Social Statistics of the State Planning Committee, Moscow, 1935, p. 503.

manufacturers in various branches of the textile industry to refrain voluntarily from introducing or developing shift work.

The organisation of shift work in the textile industry raises extremely complex problems as regards its economic effects. From the technical standpoint, however, the system presents no difficulties because productive work in this industry can be suspended on Sunday.

By way of compensating the workers in some measure for the disadvantages attaching to shift work, some regulations prescribe, for night work at least, shorter hours than are stipulated for ordinary work, and sometimes higher rates of pay.

7. Making up Lost Time

Although several of the general laws allow the making up of lost time under certain circumstances, provisions of this kind are less common in the special regulations for the textile industry.

In *Austria* the collective agreement for the textile industry in the Tyrol allows the making up of time lost on account of statutory public holidays during the two weeks preceding or following the holidays, provided that this does not lead to an extension of hours beyond 10 in the day.

In *Czechoslovakia* provisions regulating the making up of lost time are found in a number of collective agreements (in particular those for Reichenberg and district, Tannwald, Hohenelbe, Asch and district, Trautenau, Neu-Titschein, and Rumhurg areas). The reasons for which the making up of lost time is allowed are usually "interferences" with the working of the undertaking. The agreement for the Rumhurg area also allows the making up of time lost on working days falling between two public holidays. Most of the agreements stipulate that the lost time must be made up during the following two weeks (four weeks under the Rumhurg agreement), and 1 to 1½ hours of overtime may be worked each day or 4 to 6 hours where a weekly limit is set.

In *France* the provisions of the public administrative regulations for the textile industry allowing the making up of time lost on account of public holidays, or in slack seasons in the bleaching, dyeing and finishing and printing trades, and for some preparatory processes in the worsted industry, were repealed by the Decree of 16 January 1933. The departmental inspector of labour, after

consultation with the employers' and employees' organisations concerned, may authorise overtime not exceeding 40 hours a year to make up for time lost as a result of general stoppages of work due to the observance of local festivals or other traditional local holidays. The hours of work may not in any case exceed 10 in the day. It is still permissible to make up time lost on account of a collective stoppage of work in cases of accident or *force majeure* (breakdowns of machinery, interruption of motive power, disasters) under the following conditions:

- (a) Stoppages not exceeding one day to be made up during the fortnight following the resumption of work;
- (b) Stoppages not exceeding a week to be made up within the 60 days following the resumption of work;
- (c) Stoppages exceeding a week not to be made up beyond the limit specified under (b) without a written permit from the Departmental Labour Inspector, issued after consulting the employers' and workers' organisations concerned.

In *Italy*, under the collective agreement for the wool industry, time lost as a result of the circumstances specified by section 5 of the Regulations approved by the Royal Decree of 10 September 1923, No. 1955,¹ may be made up upon application by the management of the undertaking, under the following conditions:

- (a) Stoppages not exceeding two hours in all in any one week to be made up during the following fortnight;
- (b) Stoppages exceeding two hours in a week may be made up during the following three months;
- (c) The consequent extensions of hours not to exceed one hour daily for the ordinary day shift, and one half-hour daily for each shift where double shifts are employed.

The collective agreement for the cotton industry also refers to the Royal Decree of 10 September 1923, stipulating that not more than one extra hour shall be worked each day for the purpose of making up lost time. Interruptions agreed upon beforehand between employers and workers may be made up in advance.

¹ L.S. 1923—It. 7. Section 5, paragraph 3, runs as follows: "In the event of stoppages of work due to unforeseen causes beyond the control of the worker or the employer or due to *force majeure* and to interruptions of the normal time-table agreed upon between employers and employees, the time lost may be made up, provided that the resulting extension of the hours of work shall not exceed one hour a day at most and that the rules for such extensions shall be laid down by the labour agreements."

In the *Netherlands* the wages agreement of the Catholic Textile Employers' Association provides that time lost in consequence of a stoppage in the undertaking may be made up to a maximum of 17 hours in the year, but this limit may be exceeded in special cases subject to agreement between the employers' and workers' organisations. The wages agreement for the Tilburg wool trade provides that foremen and workers drawing a fixed wage may be required to make up time lost on account of Catholic Church holidays or the breakdown of machinery, without, however, specifying any limits.

In *Spain* the standards of employment for the Catalan ribbon industry provide for the making up of time lost for reasons of *force majeure* outside the employers' control or on account of local festivals; the time is to be made up in the course of the same or the following week. The standards of employment for the textile industry in Saragossa and the neighbouring provinces, on the other hand, prohibit all making up of lost time; in cases of *force majeure*, the worker is entitled to his ordinary wages without having to make up the time lost.

In the *United States* the code for the rayon and silk dyeing and printing industry allows the making up of time lost on statutory public holidays falling on week days.

8. Exceptions

In this section only those exceptions are mentioned which are provided for by the special regulations for the textile industry. Their purpose is to enable undertakings to cope with the following circumstances:

- (i) Accidents, actual or threatened; urgent repairs to machinery or plant, and other cases of *force majeure*;
- (ii) Operations which for technical reasons cannot be interrupted at will;
- (iii) Preparatory and complementary work;
- (iv) Intermittent work;
- (v) Exceptional pressure of work.

A special section under the title of "General Exceptions" deals with the other cases in which normal hours of work may be varied or exceeded.

In order to avoid misinterpretations, only those extensions of normal hours which result in an extension of the average normal

regulation hours calculated over a period of several weeks are regarded as exceptions.

It may also be recalled that the exceptions to normal hours of work allowed under the general legislation are applicable to the textile industry in the same way as to other industries, unless the special regulations lay down more restrictive conditions, when the latter alone apply. Accordingly, in considering the exceptions provided under the special regulations for the textile industry in the countries in which these exist, reference must also be made to the general exceptions figuring in the Appendix.

(i) *Accidents, actual or threatened; urgent repairs to machinery or plant, and other cases of force majeure.*

These exceptions are granted in respect of all industries and call for no special remark.

In *Austria* the collective agreement for the Tyrol textile industry allows the working of overtime to repair breakdowns, for the loading and unloading of trucks, and for the protection of human life and property.

In *France* the public administrative regulations for the textile industry provide for the temporary extension of hours beyond the normal limits for urgent work which must be carried out immediately in order to avert impending accidents, for salvage purposes, or to repair damage to the machinery, plant, or buildings of the undertaking; unlimited extension is allowed on any one day chosen by the employer, and on subsequent days not more than two hours beyond the limits fixed for the majority of workers in the undertaking.

In *Mexico* the national collective agreement for the textile industry allows the working of overtime in exceptional circumstances connected with the manufacturing processes and in cases of *force majeure*. Not more than three hours' overtime may be worked each day and on not more than three days in the week. If work in any one department is interrupted by a breakdown, the repair shops must continue to work with alternating shifts for as long as may be necessary, in such a way as not to infringe the above provisions.

In the *Netherlands* the wages agreement of the Association of Catholic Employers in the Textile Industry prescribes that overtime may be worked "where circumstances so require".

In *Sweden* the national agreement for the textile industry specifies that the management of the undertaking is entitled to take all necessary measures respecting hours of work in cases of *force majeure*, accident, fire, shortage or breakdown of the electric power supply, damage to machinery or transmission pipes, etc. Overtime worked under these circumstances does not confer the right to extra pay.

In the *United States* the limits to normal hours of work set by the various codes do not as a rule apply to persons employed on emergency work and breakdown gangs. The code for the velvet industry specifies further that overtime may be worked to repair damage due to accidents jeopardising life or property.

(ii) *Operations which for technical reasons cannot be interrupted at will.*

There are certain operations which must be continued until completed, either because their interruption is impossible for technical reasons, or because it would entail considerable expense. Processes of this kind are found mainly in the bleaching, dyeing and finishing branches of the industry.

In *France* the public administrative regulations for the textile industry provide for an extension of two hours beyond the daily limit of the general work of the undertaking for adult men engaged in operations depending upon technical renements which cannot be stopped at will, when it has not been possible to complete them within the regulation period on account of exceptional circumstances.

In *Great Britain* the various agreements for the bleaching and dyeing trade state that "owing to the peculiar needs of the dyeing trade, it is difficult to adhere to a rigid 48 hours", but that the systematic working of overtime must be strictly limited, not more than 60 hours a week being worked by any worker.

In the *United States* the cotton textile code provides for the extension of hours up to 48 in the week in the case of employees engaged in the operation of dyeing, bleaching, drying and mercerising machines when used only as a part of a continuous chemical process, where the goods would be jeopardised by interruption. The code for the rayon and silk dyeing and printing industry similarly provides that employees engaged in the processes of boiling, bleaching, weighting, dyeing and drying may be required to work an additional two hours daily up to a total of 48 hours weekly if the goods would be jeopardised by interruption. The

hosier code provides that dyehouse workers may work more than 40 hours in the week where necessary, either in order to finish the batch or to complete a continuous process, subject to the payment of overtime rates for the extra hours worked. No exceptions of this kind are specified by the textile processing code.

(iii) *Preparatory and complementary work.*

Preparatory and complementary work in the textile industry includes the cleaning of the general plant and the starting and cleaning of boilers, drying apparatus and other plant worked by furnaces or electric power. As already stated in the section dealing with the definition of hours of work, the cleaning and oiling of productive machinery is not always regarded as preparatory or complementary work.

In *Austria* the collective agreement for the Vorarlberg textile industry specifies that the wages of skilled boilermen and main shafting oilers paid by the week must cover the normal overtime involved by their work.

In *Czechoslovakia* the collective agreements (e.g. those for the textile industry in Eastern and Central Bohemia, Reichenberg and district, Tannwald, Hohenelbe, Trautenau, Rumburg, Asch and district and Troppau) provide that the preparatory or complementary work necessary for the starting of boilers and other plant, oiling, firing and the cleaning of premises must be performed as required, even if it involves an extension of normal hours of work, and that payment for the extra hours worked shall be at the normal rates. Under the agreement for Eastern and Central Bohemia, however, firemen are paid at a higher rate for every hour of overtime worked daily beyond the first. In the Troppau jute industry overtime rates are paid for the normal overtime worked by firemen.

In *France* the following exceptions are allowed under the public administrative regulations in respect of preparatory and complementary work:

Operations	Extension allowed	Workers covered
Work of persons specially employed in connection with ovens, furnaces, stoves, drying-rooms, or boilers other than those used for generating power, and in the heating of tubs and vats, provided that such work is merely preparatory or complementary, and does not constitute the main work of the undertaking.	2 hours beyond the daily limit of the general work of the undertaking ; 2½ hours on each day following a day on which work has been suspended.	Adult men.

Operations	Extension allowed	Workers covered
Work of mechanics, electricians, and stokers employed in connection with the power supply, lighting and heating, the repair of hoisting apparatus, and the water supply.	ditto	ditto
Oiling the main shafting.	2 hours beyond the weekly limit of the general work of the undertaking.	Adult men
Cleaning machinery, frames, and all other productive plant.	1 hour beyond the weekly limit of the general work of the undertaking.	All workers.
Cleaning frames in connection with the spinning of flax, hemp, jute, ramie, and substitutes for these; cleaning self-acting mules in cotton spinning.	1½ hours beyond the weekly limit of the general work of the undertaking.	All workers.
Oiling self-acting mules in wool spinning.	15 minutes beyond the daily limit of the general work of the undertaking.	All workers.

In addition to these exceptions the regulations also provide for an extension of 2 hours beyond the daily limit of the general work of the undertaking for foremen and forewomen, charge hands and workers employed specially in regulating the frames, investigating, testing and introducing new patterns.

In *Great Britain* the collective agreements for the bleaching and dyeing trade provide that the limitation of hours to 48 in the week shall not apply to firers and men engaged in cleaning machinery. No limits are fixed for the hours of these classes of workers, but the agreements provide that no worker may work for more than 60 hours in the week.

In *India*,¹ in the *Central Provinces* and *Berar*, exceptions are granted in cotton spinning and weaving mills in respect of work in connection with (i) mill gearing, electric driving or lighting apparatus, steam or water pipes or pumps or humidifying apparatus, tunnels and underground flues; (ii) driving electric fans used in and for lighting of compounds, offices or any part of the mill building exclusively used for a dwelling; (iii) oiling, examining or repairing machinery and cleaning of ceilings, beams or walls.

¹ Under the provisions of the Factory Act, the exceptions granted in respect of preparatory and complementary work which has to be performed outside the normal hours of work of the undertaking are to be fixed by the Local Governments.

Adult male workers employed on these operations may work up to eleven hours daily and 66 hours weekly. In the *Bombay Presidency* the exceptions in respect of preparatory and complementary work apply to all industries, including the textile industry, but are limited to workers engaged on steam-raising and engine preparation; dyeing and bleaching, calendering and finishing, sizing, and cloth printing do not come under any general exemption. In the *Punjab* the exemptions for preparatory and complementary work are applicable to the textile industry, provided that not more than 6 hours' overtime are worked in the week by not more than 3 per cent. of the working force in each undertaking. In *Madras* the workers engaged in connection with drying machines, engines, boilers, and the engineering and electrical departments are exempted from the general measures.

In *Italy* firemen and enginemen in all branches of the textile industry, except wool, and oilers in the hemp industry are excluded from the 40-hour week provisions.

In *Sweden* the National Agreement authorises the management of the undertaking to extend the hours of adult workers over 18 years for the performance of essential preparatory and complementary work.

In the *United States* repair-shop men, engineers, firemen and cleaners are generally excluded from the 40-hour week provisions, their weekly hours being usually 44, or 40 with a tolerance of 10 per cent. In the silk industry this 10 per cent. tolerance is regarded as overtime, whereas in the throwing industry only hours worked in excess of 44 are counted as overtime. The hosiery code provides that machine-fixers may work more than 44 hours weekly where necessary to carry out repairs and alterations to machinery, any hours worked in excess of 9 in the day and 44 in the week being paid for at overtime rates.

(iv) *Intermittent work.*

This type of exception applies principally to the work of supervisors, watchmen, gatekeepers, engine stokers, etc.

In *Austria* the collective agreement for the Vorarlberg textile industry specifies that where workers engaged in minding pumps and turbines are paid by the week their weekly wage must cover the overtime normally entailed by their special activities. Under the collective agreement for the Tyrol textile industry, payment

for overtime must be calculated as a lump sum in the case of workers whose hours are difficult to control (drivers of horse or motor vehicles) and of classes of persons such as gatekeepers, watchmen, night watchmen, engineers in central power plants.

In *Czechoslovakia* the collective agreement for Eastern and Central Bohemia provides that gardeners, drivers, night watchmen and other classes of workers whose work is intermittent shall not be entitled to overtime pay if their hours exceed the general hours worked in the undertaking. The collective agreement for Hohenelbe provides that the hours of horse drivers shall include 14 hours "waiting" in addition to the normal 40 hours weekly, any hours beyond this limit being paid for as overtime. The agreement for the Troppau jute industry prescribes the payment of higher rates for the normal overtime worked by persons in charge of turbines.

In *France* the regulations for the textile industry authorise the following exceptions:

Operations	Extension allowed	Workers covered
Workers whose time on duty actually includes long rest periods, such as watchmen, caretakers, pointsmen, workers on the railways of the undertaking, motor drivers, carmen, deliverymen, warehousemen, fire brigade.	4 hours beyond the daily limit of the general work of the undertaking, subject to a maximum limit of 12 hours per day.	Adult men.
Timekeepers, office messengers and similar workers.	2 hours beyond the daily limit of the general work of the undertaking, subject to a maximum limit of 12 hours per day.	Men and women.
Persons in charge of the medical service and other welfare arrangements for the workers and employees of the undertaking and their families.		

In *Great Britain* the national agreement for the wool trade excludes engine drivers and stokers from the provision prescribing a 48-hour week. The maximum hours for these classes are 55 in the week, their normal hours of work being fixed by each undertaking. It is also specified that engine drivers' and stokers' time includes starting up and stopping, provided that this does not exceed 7 hours in the week, after which overtime rates must be paid.

In *India* no exceptions are granted as a rule for intermittent work in the textile industry. Where exceptions are allowed under this head, the conditions are the same as for preparatory and

complementary work, since the classes of work concerned in both cases are often identical.

In *Italy* the agreements between the confederations exclude supervisors, workers in central power houses and cabins from the 40-hour week provision in all the textile industries except wool.

In the *United States* the normal hours of watchmen are usually 56 in the week. The supervisory staff is also excluded from the normal time-table, but no specific limit is set to their hours of work.

(v) *Exceptional pressure of work.*

In addition to the exemptions granted under the general legislation, some of the special regulations allow the extension of hours of work in order to enable the undertaking to cope with exceptional pressure of work. As a result of the depression, however, exemptions under this head have been suspended in some cases with a view to allowing of the re-engagement of unemployed workers.

In *France* the Decree of 9 April 1935, which was preceded by a series of orders issued from December 1933 onwards, suspended for one year the utilisation of the overtime allowance provided by the public administrative regulations to meet exceptional pressure of work. Notwithstanding, the Minister of Labour may, under the provisions of the Act of 8 April 1935 in pursuance of which the above Decree was issued, remove this restriction in cases of proved extraordinary pressure of work which cannot be dealt with by any other means, such as the engagement of additional staff.

In *Germany* the Act concerning spinning materials provides that when the weekly limit of 36 hours has been exceeded in order to finish urgent orders required for export within a specified time-limit, such hours are not included in the calculation of the minimum weekly number of hours which must be worked before workers may be dismissed on account of shortage of raw materials.

In the *United States* the codes for the various branches of the textile industry provide for the possibility of overtime in case of emergency work.

(vi) *General exceptions.*

Some of the regulations do not specify the reasons for which hours of work may be extended, but the possibility of working overtime is implicit in the fact that they prescribe the payment of

higher rates for any hours worked in excess of the normal limits. Cases of this kind are found in particular in *Australia* (awards for the wool, cotton, and knitting industries), *Austria* (various collective agreements), *Czechoslovakia* (various collective agreements), *Great Britain* (national agreement for the cotton trade and special wool textile overtime agreement), *Hungary* (works rules), *New Zealand* (award for the wool industry) and *Spain* (the majority of the standards of employment).

Some of the provisions laid down by the regulations are of a very general character. In *France* the public administrative regulations allow the temporary extension of normal hours of work for work carried out in the interests of national safety or defence or for the public service, under an order from the Government certifying the necessity for extension, the limits to be fixed in each case by agreement between the Minister of Labour and the department which has ordered the work. In *Germany* the collective rules mention the possibility of extended hours for technical reasons connected with the working of the undertaking. In *Great Britain* the special overtime agreement for the wool textile trade does not state the reasons for which overtime may be worked, but sets limits to the total daily hours of workers as follows: adult men, 10 hours daily from Monday to Thursday, $9\frac{3}{4}$ hours on Friday; adult women and young persons, not more than 6 hours' overtime per week. These limits may be exceeded subject to special permission and on account of special circumstances. In *Mexico* the national agreement provides that overtime may be worked up to 3 hours daily on not more than 3 days a week, in the case of exceptional circumstances connected with the manufacturing processes. In the *Netherlands* the wages agreement of the Association of Catholic Employers in the Textile Industry allows the working of overtime "where circumstances so require". The wages agreement for the *Tilburg* wool trade provides on the one hand that overtime shall be paid for at an increased rate and, on the other hand, permits an extension of the working hours of foremen and workers drawing a fixed wage by one hour per week to be paid for at ordinary rates. In *Spain* the standards of employment for the bleaching industry in *Barcelona* allow overtime to meet the needs of production. In *Sweden* the national agreement for the textile industry provides that overtime may be worked on the application of the management of the undertaking if permitted by legislation or authorised by the competent authorities. In the *United States* the hosiery code provides that clerical employees may be required to work up to

48 hours weekly for 12 weeks in the year (6 weeks in each half-year), all hours in excess of 40 in the week being paid for at a higher rate.

PROCEDURE FOR THE AUTHORISATION OF OVERTIME

The procedure for obtaining permission to work overtime differs from country to country and often even within the same country under different kinds of regulations. Where, as is sometimes the case, special regulations for the textile industry are silent on this point, the provisions of the general legislation are applicable.

In the case of accident, danger or other cases of *force majeure*, the employer is not as a rule required to comply with any formalities beforehand, notification to the labour inspection authorities being sufficient. As regards the exceptions allowed for preparatory and complementary work and also those for intermittent work, the employer may usually avail himself of these without formality, although in some cases he may be required to post up the daily hours of work at the workplace. For the other classes of exceptions, however, a permit must generally be obtained beforehand from the competent administrative authority.

Permission to work overtime in these cases may be made conditional on the existence of a shortage of labour or on specific economic circumstances. A shortage of labour must be proved to exist, for instance, in *Spain*, under the standards of employment for the Crevillente textile industry; in *France*, under the Decree of 9 April 1935, temporarily suspending the overtime allowance granted to meet exceptional pressure of work; and in *Italy*, under the general agreements between the confederations. The *German Act* requires the presence of circumstances favourable to an extension of economic activity.

Details of the special procedure prescribed for obtaining overtime permits in certain cases are given below.

In *Czechoslovakia* the various collective agreements for the textile industry usually specify that the employer may order the working of the extra hours necessitated by preparatory and complementary work and intermittent work without any formality. The collective agreement for the Brno wool industry provides that the workers are bound to work overtime as required by the management of the undertakings within the regulation limits, and also on public holidays, except the following major holidays: New Year's Day, Easter Monday, Whit Monday, 1 May, Corpus Christi, 6 July, 28 October, and 24 and 25 December.

In *France* the head of an undertaking, who in normal circumstances wishes to avail himself of the temporary exemptions allowed to meet exceptional pressure of work, is required to notify the labour inspector of his intention in advance; a previous application is only obligatory in those industries in respect of which the utilisation of the overtime allowance has been suspended in pursuance of the Act of 8 April 1935, as is the case for the textile industries.

In *Germany* the collective rules for Wurtemberg and Hohenzollern state that the management of the undertaking, after consultation with the confidential council, may extend hours of work up to 54 in the week for three weeks, any further extension requiring the consent of the inspection authorities for industry and commerce. The former collective agreement for the Rhineland, which is presumably still observed, provides that the employer may prolong hours of work in the undertaking by not more than 3 hours in the week after consulting the statutory workers' representative body; for any further extension an agreement is necessary between the management of the undertaking and the workers' representative body, and in the event of the latter's refusal arbitration is provided for by the management of the Rhineland district group. Similarly, the former collective agreement for Baden provides that the management of the undertaking may order an extension of hours up to 51 per week, a further extension up to not more than 54 hours being allowed subject to the consent of the workers' representative body. In the event of disagreement the chairman of the local conciliation board is required to arbitrate.

In *Great Britain* the special agreement concerning overtime in the wool textile trade provides that employers may extend the hours of their workpeople within the specified limits without complying with any formalities. Any firm requiring to work overtime in excess of these limits must notify the Wool (and Allied) Textile Employers' Council, and if the Council is satisfied that the extension is warranted, it must consult the trade unions concerned, the application being granted only by agreement between the employers' and workers' organisations. The national agreement for the bleaching, dyeing and finishing trades prohibits overtime after 6 p.m. unless satisfactory arrangements can be mutually agreed upon between the employers' federation and the trade union concerned.

In *Italy* the general Interconfederal Agreement of July 1935 provides that whenever normal hours of work are exceeded the employer must, within 24 hours, notify his local association, which in turn notifies the corresponding workers' association, stating the reasons for which he considers it impossible to deal with the pressure of work by engaging extra staff. If the associations consider these reasons unsatisfactory they may order the cessation of overtime; in the event of disagreement, the question must be settled by the corporative inspectorate.

In *Mexico* the national agreement states that if overtime is necessary, owing to exceptional circumstances or for reasons of *force majeure*, the heads of undertakings must notify the representatives of the unions concerned, and that such overtime may only be worked with the consent of the staff.

In the *Netherlands* the wages agreement of the Association of Catholic Employers in the Textile Industry provides that the working of overtime must be notified in every case to the labour inspector and to the employers' and workers' organisations concerned.

In *Spain* the standards of employment for the Crevillente textile industry provide that permission to work overtime must be obtained from the inspection committee; where it is refused appeal may be made to the chairman of the joint board, which has power to grant the required permission. According to the standards of employment for the Barcelona bleaching industry, the employer may employ his workers for longer than the normal hours of work, subject to their consent, where such extension is necessitated by the requirements of the work.

In the *United States* the cotton textile code provided for the constitution of a joint Industrial Relations Board in each State and for the whole of the country; all disputes arising out of conditions of employment, and in particular as to the "stretch-out" system, were to be referred to these bodies. These provisions, like all the other provisions of the codes, are now no longer enforceable and their observance depends on the good will of the employers concerned.

OVERTIME RATES

Generally speaking, the regulations regard as overtime all time worked in excess of normal weekly hours or outside the normal

hours fixed for the beginning and end of the daily work of the undertaking. Below are given the overtime rates prescribed by the various regulations for the textile industry and the conditions under which they apply.

Australia. — Awards for the woollen and worsted, cotton and knitting sections of the textile industry:

Time and a half for the first 4 hours worked beyond ordinary daily hours;

Double time after the first 4 hours worked beyond ordinary daily hours;

Double time for overtime worked on Sunday and public holidays.

Austria. — The collective agreements analysed prescribe the following overtime rates:

(a) *Lower Austria and Tyrol:*

Time and a quarter for overtime worked on weekdays;

Time and a half for work on Sundays;

Double time for work on public holidays.

(b) *Vorarlberg:*

Time and a half for overtime worked on weekdays.

Double time for work on Sundays and public holidays.

Czechoslovakia. — The collective agreements analysed provide for the following overtime rates:

Time and a quarter for overtime worked on weekdays;

Time and a half for work on Sundays.

As regards public holidays, a distinction is made between the major public holidays and minor public holidays, the former including New Year's Day, Easter Monday, Whit Monday, 1 May, 28 October (national holiday) and Christmas Day, and sometimes also Corpus Christi, 6 July and 24 December. It is only for the major public holidays that the overtime rates differ from those for weekdays and Sundays; as a rule work on these days is paid for at double rates, but at time and a half in Eastern and Central Bohemia and in the Troppau jute industry.

The rate for night work (from 10 p.m. to 5 a.m.) is usually time and a half, and double time in Eastern and Central Bohemia.

France. — The Decree of 12 December 1919 for the application of the Eight-Hour Day Act to the textile industry provides that overtime worked in cases of exceptional pressure of work shall

be paid for in accordance with the custom in force in respect of overtime.

Germany. — Overtime rates under the collective rules for Württemberg and Hohenzollern:

Time and a quarter for hours in excess of 48 weekly;

Time and a half for work on Sunday and public holidays and for night work (8 p.m. to 5 a.m.).

Former collective agreements for the Rhineland:

Time and a quarter for overtime worked in excess of 48 hours weekly.

Former collective agreement for Baden:

Time and a quarter for overtime worked in excess of 48 hours weekly;

Time and a half for night work (10 p.m. to 6 a.m.);

Double time for work on Sunday.

Great Britain. — (a) National agreement for the wool trade:

Time and a quarter for the first 2 hours' overtime worked on weekdays;

Time and a half for all hours after the first two worked on weekdays;

Double time for overtime worked from Saturday midnight to 6 a.m. Monday;

Time and a half for work on all statutory holidays except Christmas Day.

Double time for work on Christmas Day.

(b) Special overtime agreement for mill engineers, firemen, men in charge of boilers, oilers and greasers, etc., in the cotton trade in certain districts:

Time and a quarter for the first 2 hours' overtime worked daily;

Time and a half for the third and following hours' overtime worked daily;

Time and a half for hours worked between 2 p.m. on Saturday and Monday morning.

(c) National agreement for the bleaching and dyeing trades:

No percentage increases in rates are mentioned, but the agreement lays down hourly increases in rates expressed in terms of cash;

(i) for overtime worked during the day or night on weekdays,

(ii) for Sunday work. Payment at double rates is prescribed for all work done between Saturday midnight and Sunday midnight.

Italy

- (a) Collective agreement for the cotton industry:
30 per cent. increase for overtime worked during the day;
Time and a half for overtime worked during the night (10 p.m. to 5 a.m.);
Time and a half for work on public holidays.
- (b) The collective agreement for the wool industry leaves the fixing of the percentage increases and rates for overtime and for work on public holidays to the local organisations.
- (c) The increased rates adopted in respect of the wool industry and in the other branches of the textile industry, linen, hemp, jute, silk, are in the main the same as those given for the cotton industry.

Mexico. — National collective agreement:

Double time in all cases.

Netherlands. — Wages agreement of the Association of Catholic Employers in the Textile Industry and the Tilburg Woollen Cloth Manufacturers' Association:

15 per cent. increase for ordinary overtime;
Time and a quarter for overtime worked between 5 a.m. and 7 a.m. and between 7 p.m. and 9 p.m.;
Time and a half for overtime worked during the night (9 p.m. to 5 a.m.)¹;
Double time for work on Sunday.²

New Zealand. — Award for the wool industry in various industrial districts:

Time and a half for the first 3 hours' overtime worked daily;
Double time for the fourth and following hours' overtime worked daily, and until work begins on the following day;
Double time for all overtime worked on Sunday or on public holidays.

Spain

- (a) Standards of employment for the Barcelona bleaching industry:-

Time and a half.

¹ This provision does not appear in the Tilburg wages agreement.

² Under the Tilburg agreement this provision does not apply to firemen, stokers, engineers, smiths and carpenters.

(b) Standards of employment for weavers, tapestry weavers, etc., in the Province of Madrid:

Time and a half for work on Sundays.

(c) Standards of employment for the textile industry in the Saragossa area:

Time and a quarter for overtime worked by men;

Time and a half for overtime worked by women.

Sweden. — National agreement for the textile industry:

30 per cent. increase for overtime worked during mealtimes (continuation of work in progress) and for the first two hours after the time at which work normally ceases (or after an interval in work), if the work is directly connected with that preceding it,

Time and a half for all other overtime worked on weekdays;

Time and three-quarters for overtime worked on Sunday or public holidays (reckoning from 8 p.m. on the preceding day until 5 a.m. on the following day).

United States

(a) Code for the silk textile industry:

Time and a third in all cases.

(b) Code for the throwing industry:

No increase for hours worked between 40 and 44 per week;

Time and a third for all hours worked beyond the 44th;

(c) Code for the rayon and silk dyeing and printing industry:

Time and a third in all cases.

(d) Code for the hosiery industry:

Time and a half in all cases.

9. Measures for Enforcement of Regulations

In some countries, the special regulations contain provisions for enforcement. This is true of *Australia*, *Austria*, *Czechoslovakia*, *France*, *Germany*, *Great Britain*, *Mexico*, *Spain*, *Sweden* and the *United States*.

Usually the purpose of such clauses is to enforce not only the provisions relating to hours of work, but also certain other measures, many of which deal with wages.

In *Australia* the arbitration awards for the wool, cotton and knitting industries make provision for the appointment in each State of a Board of Reference consisting of employers and workers under the chairmanship of an independent magistrate. The Board has power to settle disputes on any matters arising out of the award.

In *Austria* the collective agreements provide that disputes arising out of their application shall in the first place be referred to the management and the works committee. If no agreement can be reached the dispute is then referred to the employers' and workers' organisations. The last recourse is to the Conciliation Office set up by law.

In *Czechoslovakia* there are two or three stages in the procedure laid down in collective agreements for the settlement of disputes arising out of their application. In the first place the dispute is considered jointly by the management and a delegation appointed by the staff. In small undertakings regular staff representatives are appointed, but in undertakings employing more than thirty persons the delegation consists of a works committee set up under the Act of 12 August 1921. One of the duties of this committee is to supervise the application of collective agreements. The latter usually provide that disputes which cannot be settled in this way are to be referred to a conciliation or arbitration committee consisting of representatives of both parties to the dispute and of the trade associations or unions to which the parties belong. Some collective agreements provide for a court of third instance. For instance, the collective agreement for Eastern and Central Bohemia stipulates that a dispute may in the last resort be referred to a Central Joint Committee for the Textile Industry; the decisions of this committee are binding on the parties.

In *France* the Decree issuing administrative regulations for the textile industry expressly stipulates that in each undertaking or part of an undertaking workers and employees may only work to a time schedule showing the distribution of hours of work for each day or each week. The time schedule must indicate the hours of which each working period begins and ends. No worker or employee may be employed outside these time-limits. The schedule must be posted up on all working premises and if shifts are worked the schedule must give the names of the persons employed in each shift.

In *Germany* the application of the Act concerning spinning materials is supervised by the labour inspectors, the quota restriction offices being responsible, however, for the actual distribution of the quotas of raw materials.

In *Great Britain* the national collective agreement for the dyeing, bleaching and finishing industry provides that all industrial disputes shall be referred to a Reference Board consisting of seven members appointed by the employers and seven members appointed by the unions. In the event of the Board failing to settle any dispute referred to it, the employers' members and the union members each appoint an arbitrator. If the arbitrators fail to agree, they may appoint an umpire. Further, as has already been pointed out, trade boards have been set up in the jute, flax and hemp trades, in the linen and cotton handkerchief and household goods and linen piece goods trade and in the cotton waste reclamation trade.

In *Mexico* factory joint committees, district joint committees and a National Joint Committee have been set up under the national collective agreement. These committees supervise the application of the national agreement and of any regulations drawn up in pursuance of that agreement. They also interpret its provisions in doubtful cases. Decisions given by the several joint committees are binding on the parties unless an appeal is lodged with a higher committee in any particular dispute. The National Joint Committee has power to deal with all questions referred to it by district joint committees and factory joint committees.

In *Spain* the standards of employment for the textile industry of Crevillente provide that "the committee of inspection shall have power to consider and settle all disputes connected with the organisation of work in each factory". If no agreement can be reached the dispute must be referred to a court of first instance. The standards of employment for the bleaching industry in Barcelona provide that the joint committee (joint board) concerned may "order such inspections to be made as it thinks fit" with a view to supervising the application of regulations. The standards of employment for the ribbon trade in Catalonia provide that complaints made by workers shall be referred to a joint board. The same provision is made in the textile industry of Corunna where the joint board may appoint *ad hoc* inspection committees. The standards of employment for weavers, tapestry makers, etc., in the Province of Madrid likewise provide that disputes shall be referred

to the joint board and in cases where no such body exists, to an *ad hoc* "joint committee". In the textile industries of Valencia and Saragossa the standards of employment also provide for the reference of disputes to the joint board concerned.

In Sweden the leading trade associations and unions have power to negotiate the settlement of disputes arising out of the application of the national collective agreement for the textile industry.

In the *United States*¹ the code of fair competition for the cotton textile industry provides that every four weeks each employer shall send in returns to the Cotton Textile Institute showing actual hours worked. Further, a Cotton Textile Industrial Relations Board was set up for the whole territory of the United States, consisting of five members, of whom two represent employers and two workers, while a fifth is selected by the Administrator. In each State in which the cotton textile industry operates, the Administrator was required to appoint a Cotton Textile Industrial Relations Board on the same lines. The code provided that whenever a controversy arose between employer and employees involving any problem of working conditions, an industrial relations committee with equal representation might be chosen by the employer and employees of the mill, the parties might appeal to the State Industrial Relations Board, the decisions of which must be submitted to the Cotton Textile National Industrial Relations Board for review and approval. The code for the wool industry provides that "each employer shall furnish regular reports" to the National Association of Wool Manufacturers, and that these reports shall show information with respect to hours. A Wool Textile Industry Committee has been set up to supervise the application of the code. The committee consists of six representatives elected by the employers and three members without vote appointed by the Administrator. A similar provision is made in the code for the silk textile industry, in which the supervisory body is the General Planning Committee. This committee consists of fifteen employers' representatives and three members without vote appointed by the Administrator. Similarly under the Throwing Code, a Code Administration Committee was set up consisting of thirteen employers' representatives and three members without vote appointed by the Administrator.

¹ In view of the Supreme Court's decision which has already been mentioned, the National Administration may no longer co-operate in enforcing the Codes which remain in force.

III. — ACTUAL HOURS OF WORK

Below are given some particulars, based on the most recent statistics available, as to hours of work in the textile industry in the following countries: *Austria, Estonia, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Poland, Sweden, Switzerland and the United States.*

In most cases these figures are taken from statistics compiled periodically on the basis of returns from some of the undertakings in the principal industries. They therefore do not relate to all the workers in the industries concerned, and the number of undertakings covered may vary slightly from one date to another.

The following tables give the series relating to the textile industry. The classification of the various divisions and subdivisions of industry varies, however, from one country to another, and differences may in fact exist even when the terms used are identical. Moreover, the form in which the data are compiled also varies considerably. Sometimes the statistics give the percentage of workers having worked for a certain number of hours per day or week, and sometimes the average number of hours worked by each worker per day, week or month. Hence these figures can serve only to give a general indication of the position in each country, and cannot be used for the purpose of making exact international comparisons.

For most of the countries mentioned, fuller data for the period 1927-1934, together with notes on their sources and methods of compilation, will be found in the *I.L.O. Year-Book 1934-1935*, Vol. II: *Labour Statistics*.

ACTUAL HOURS OF WORK IN THE TEXTILE INDUSTRY IN SELECTED COUNTRIES

Austria¹

Returns of the Chamber of Workers and Employees

Date ²	Percentage of workers working weekly			
	Up to 40 hours	Over 40 and under 48 hours	48 hours and over	Hours unknown
1934:	January	20.2	9.4	68.6
	July	11.5	3.7	83.5
	December	10.7	6.3	80.9
1935:	—	—	—	—

¹ Textile and clothing industry.

² First week of the month.

Estonia

Information from Central Statistical Office

Date	Average hours per male worker per day in undertakings employing 20 workers and over					
	Cotton	Wool	Linen	Silk	Other textiles	Total
1934 2nd half year	8.10	8.47	8.00	7.99	8.21	8.21
1935 1st half year	—	—	—	—	—	—

Finland

Statistics of Ministry of Social Affairs

Date	Average weekly hours per worker
1934 (average)	47.1

France

Returns of Labour Inspectors

Date ¹	Percentage of workers working weekly		
	Under 40 hours	40 to under 48 hours	48 hours and over
1934 March	18.1	25.1	56.8
June	23.6	38.4	38.0
September	37.5	32.9	29.6
December	39.7	31.1	29.2
1935 March	36.2	32.7	31.1
June	28.0	35.4	36.6
September	26.3	32.6	41.1
December	23.69	29.92	46.39
1936 Januarv	22.35	29.76	47.89

¹ The figures relate to the first of the following month

Germany

A — *Returns of German Labour Front*

Date	Percentage of workers working weekly		
	Under 40 hours	40 to under 48 hours	48 hours and over
1934 March	22.7	43.4	33.9
June	19.8	43.9	36.3
September	53.5	29.6	16.9

B. — *Statistics of Institute for Economic Research*

Date	Average daily hours per worker
1934: March	7.48
June	7.43
September	6.74
December	7.08
1935: March	6.94
June	6.45
September	6.71

Great Britain

Returns of Ministry of Labour

Date ¹	Short time		Overtime	
	Percentage of workers on short time	Average number of hours lost	Percentage of workers working overtime	Average number of hours' overtime worked
1. Cotton				
1934: March	8	13.5	—	—
June	10.5	17	—	—
September	11	16.5	—	—
December	11	14	—	—
1935: March	9	14.5	—	—
June	13.5	14	—	—
September	8	14	—	—
2. Wool (woollen section)				
1934: March	20	8	22	7
June ²	34	11	12.5	7
September	29	9.5	18	7.5
December	25	9	15.5	6
1935: March	33	11	12.5	6
June	28	9	12	7
September	17	10	23	7
3. Wool (worsted section)				
1934: March	21.5	10	18	6
June	42	13	9	7
September	30	11	9.5	6.75
December	13	11.5	29	6
1935: March	19	11.5	23	6
June	14	11	14	6
September	11	11	23.5	6

¹ One week in the month.

² No figures for June; those given refer to July.

Huugary

A — Returns of the Royal Hungarian Statistical Office

Date	Average daily hours per worker
1933 (average)	9 21
1934	—

B — Information from the Royal Hungarian Statistical Office

Date	Percentage ¹ of workers working daily			
	Up to 8 hours	Over 8 to under 10 hours	10 to 11 hours	Over 11 hours
1 Cotton				
1933 1 July	22 4	11 4	66 2	0 1
1 October	22 3	11 1	66 4	0 1
2 Hemp				
1933 1 July	6 1	54 7	39 2	—
1 October	6 0	51 9	42 1	—
3 Jute				
1933 1 July	—	7 7	92 3	—
1 October	4 9	—	95 1	—
4 Wool				
1933 1 July	0 8	13 6	85 0	0 6
1 October	1 9	18 7	84 4	—
5 Silk				
1933 1 July	10 0	58 0	32 0	—
1 October	8 9	47 4	43 4	0 3

¹ Calculated by the ILO

Italy

A — Returns of the Ministry of Corporations

Date ¹	Percentage of workers working weekly		
	Under 48 hours	48 hours	Over 48 hours
1 Silk spinning and reeling			
1934 March	20 2	78 9	0 9
June	16 0	83 1	0 9
September	2 9	94 2	2 9
December	50 1	49 3	0 6
1935 March	67 8	32 0	0 2
	Under 48 hours	48 to under 48 hours	48 to over 48 hours
1935 June	30 6	46 3	21 9
September	—	—	—

¹ Last week of month

Japan

A — Returns of Imperial Cabinet

	Date	Average hours of work per worker per day
1934	March	9 53
	June	9 53
	September	9 57
	December	9 55
1935	March	9 57
	June	9 63
	September	—

B — Returns of Bank of Japan

	Date	Average hours of work per worker per day			
		Silk reeling	Cotton spinning	Weaving	Dyeing and finishing
1934	March	10 02	8 78	9 92	10 48
	June	10 02	8 83	9 95	10 60
	September	10 02	8 88	9 98	10 60
	December	10 00	8 77	9 93	10 57
1935	March	10 05	8 78	9 93	10 58
	June	10 08	8 87	9 93	10 57
	September	—	—	—	—

Poland

Returns of Central Statistical Office

	Date	Average hours of work per worker per week
1934	March	42 5
	June	38 2
	September	39 7
	December	38 5
1935	March	41 4
	June	39 4
	September	41 5

Sweden

Returns of Ministry of Labour and Social Welfare

	Date	Average hours of work per worker per week
1934	November	47 0

Switzerland

Returns of Federal Department of Public Economy

Date	Percentage of workers working weekly		
	Under 48 hours	48 hours	Over 48 hours
<i>Cotton</i>			
1934: 1st quarter	20.2	56.8	23.0
2nd quarter	21.7	67.5	10.8
3rd quarter	27.4	59.8	12.8
<i>Wool</i>			
1934: 1st quarter	9.0	64.3	26.7
2nd quarter	7.2	72.2	20.6
3rd quarter	11.7	67.2	21.1
<i>Silk and rayon</i>			
1934: 1st quarter	24.8	70.5	4.7
2nd quarter	25.0	72.1	2.9
3rd quarter	29.8	65.7	4.5
<i>Linen</i>			
1934: 1st quarter	25.6	74.4	—
2nd quarter	12.6	87.4	—
3rd quarter	10.8	89.2	—

United States

A. — Returns of U.S. Bureau of Labour Statistics

Date	Average hours of work per worker per week		
	Cotton	Silk and rayon	Worsted and carded wool
1934: March	35.6	34.6	34.6
June	28.8	32.9	32.2
September	33.9	28.7	30.8
December	35.5	34.5	36.9
1935: March	35.1	34.6	36.2
June	32.1	32.9	37.2
September	—	—	—

B. — Returns of National Industrial Conference Board

Date	Average hours of work per worker per week		
	Cotton (north)	Silk	Wool
1934: March	36.7	32.1	35.2
June	34.4	30.3	33.4
September	35.0	29.3	29.2
December	36.6	34.6	34.9
1935: March	36.6	32.0	36.4
June	35.4	28.9	36.9
September	36.7	32.6	37.5

IV — GENERAL SURVEY OF PROBLEMS ARISING OUT OF INTERNATIONAL REGULATIONS

The Conference will have to decide whether the reduction of hours of work in the textile industry can be dealt with by international regulations, and if so, whether the ordinary double discussion procedure shall be followed or the subject dealt with by a single and final discussion with a view to the immediate drafting of regulations. If the double discussion procedure, which is that provided for in the present part of this Report, is decided upon, the 1936 Session of the Conference will have to determine the points on which the Governments are to be consulted with a view to the drafting of a report and regulations to be submitted to the Twenty-first Session.

An account of the manner in which the problems connected with the limitation of hours of work have been solved under the various special national regulations for the textile industry was given in the second chapter of this Report. These problems will now be considered from the standpoint of the drafting of international regulations, with a view to determining the points on which Governments should be consulted.

1. Desirability of International Regulations

The Draft Convention concerning the 40-hour week adopted by the Nineteenth Session of the Conference provides that detailed regulations shall be laid down for the various classes of employment by separate Conventions. At its Session of January 1935 the Governing Body decided by only twelve votes to eleven to exclude the textile industry from the first group of industries or activities to which international regulations were to be applied. The passing, at the same Session of the Conference at which the general 40-hour week Convention was adopted, of the Resolution reproduced at the beginning of this Report clearly indicated the textile industry as suitable for inclusion in the second group of regulations to be considered in 1936. The textile industry is in fact one of those most suitable to be dealt with by an international Convention: it is one of the industries that employ the largest quantity of labour—some 11 million workers in twenty countries; it satisfies universal wants; is subject to keen international competition, and involves a large volume of trade exchanges. There is heavy un-

employment in all its branches, short time also having been widespread for many years, and the proportion of female labour employed is particularly high. The textile industry was also one of the first in which human labour was replaced by machinery, and mechanisation has long since reached a high pitch in this industry, which moreover involves no processes that are necessarily continuous.

Lastly, as a result of the depression, which has affected the textile industry especially severely, certain countries have already introduced regulations limiting the weekly hours of work in this industry to forty. The idea of an international scheme for the reduction of hours of work in the textile industry has already been canvassed among both employers and workers. Mention may be made, for instance, of the discussions which took place at the Fifteenth and Sixteenth Congresses of the International Cotton Federation (1931 and 1933) and of the representations made to the International Labour Organisation by the international organisations of textile workers. Having regard to all these circumstances, the Governing Body decided to place the reduction of hours of work in the textile industry on the agenda of the Conference.

2. Form of the Regulations

It will be remembered that the general Convention to limit hours of work to forty in the week provided that this principle should be applied to various classes of employment in accordance with the detailed regulations to be laid down by *separate Conventions*. In view of this provision, it would seem that the proposed regulations should take the form of a Draft Convention.

Governments should accordingly be consulted as to whether they are in favour of the adoption of international regulations to limit hours of work in the textile industry in the form of an international Convention. It should also be considered whether the proposed international regulations should be embodied in one or several Draft Conventions, as explained in the introduction to this Report: a single Convention for the whole of the textile industry, separate Conventions for each branch of the industry, or Conventions covering several branches of the industry together. This question, which is of real importance, will be referred to again in connection with the scope of the proposed regulations.

3. Scope

In regard to the scope of the proposed regulations, the first point for consideration is whether the basis of the definition adopted should be the occupation or the undertaking.

If the international regulations were to apply only to specific occupations, or were to enumerate the majority of the occupations in the textile industry, this would lead in practice to the undesirable position that some workers in an undertaking would be covered by the international provisions while others were not, according to the occupation to which they belonged. Such discriminatory treatment might be justified in certain cases, for instance, for the purpose of reducing hours of work in certain unhealthy occupations; but this argument hardly applies to the textile industry as a whole.

The advantages of defining the scope of international regulations on the basis of the undertaking, on the other hand, are that the regulations would be comparatively simple to apply and to enforce, and would not create inequalities between the various workers employed in the same undertaking. Except where there were weighty reasons against it, as in the case of the manufacture of sheet glass and glass bottles, all previous international Conventions on hours of work have taken the undertaking as the basis in defining the scope of their provisions. This method ensures that all workers in the undertaking are covered by the regulations, whether or not their work is directly connected with textile processes proper; the whole of the staff should be covered by the regulations, including the office staff as well as spinning and weaving operatives.

If the undertaking is adopted as the decisive criterion, it will also be necessary to define the nature of the undertakings to be covered by the regulations. The criterion in this case might be that of the *raw material* used or of the *manufacturing processes* effected, or, again, a combination of these two notions.

The *raw material* used serves to define the textile industry, whether as a whole or in its various branches. Textile fibre has given its name to the industry in general and its different sections—wool, silk, cotton, rayon, hemp, flax and jute—are also named after the special kind of fibres used. It has been seen that there are, on the one hand, regulations covering all kinds of textile manufacture under the general description of the "textile industry", in particular in Austria, Germany, France, Mexico, the Netherlands and Spain (in respect of certain "employment standards"); but there are also special regulations applying to certain branches of

the industry, examples of this kind being found in Belgian legislation, in some of the Spanish "employment standards", in the codes of fair competition in the United States, in collective agreements in Great Britain, in the agreements between federations of industries and in collective agreements in Italy and Czechoslovakia. The question therefore arises whether the proposed international regulations should take the form of a single Convention covering the undertakings in all branches of the textile industry, or should be embodied in several separate Conventions. Although the latter alternative has certain advantages, it raises the very serious difficulty of the internal competition between the different branches of the textile industry; thus, for instance, the cotton industry is suffering more and more severely from the competition of the rayon industry in respect of certain products. To regulate one branch of the textile industry without the others would accordingly mean creating serious inequalities within the industry. Moreover, it must not be forgotten that some undertakings produce several different kinds of goods. The code for the cotton industry in the United States, for instance, applies to undertakings engaged in the weaving of cotton and also in that of rayon or other synthetic fibres, and also covers undertakings for the finishing of cotton goods which engage in the finishing of goods made of rayon or other synthetic fibres as well. These objections would not arise in the case of a Draft Convention covering undertakings belonging to all branches of the textile industry and enumerating the raw materials used. On the other hand, regulations for single branches of the industry or for several branches together would have the advantage of facilitating both the adoption and subsequent ratification of Conventions for those sections of the textile industry in which technical progress has been most marked.

In defining the scope of the Convention the nature of the operations performed must also be taken into account. Some establishments, for instance, may specialise in the manufacture of one or more of the following goods: thread, yarn, piece goods or net. A general Convention would, of course, cover the manufacture of all these goods.

Once the nature of the raw materials used and of the goods manufactured has been determined, it will probably be necessary to define the operations which, under the terms of the Convention, are to be considered as forming part of the textile process. In this connection, certain preliminary operations, for instance, in the cotton industry, ginning and pressing, and wool clipping in the wool

industry, are distinctly of an agricultural character, and some finishing operations might perhaps be considered as falling within the scope of either the textile or the making-up industry. There would seem to be no doubt, however, that bleaching, dyeing and printing form part of the textile process.

The definition of the operations covered raises a further problem which also arises in connection with other industries, namely, that of the application of the proposed regulations (1) to undertakings, the principal activity of which is definitely within the scope of the Convention, but which also engage in one or more accessory operations falling outside its scope; for instance, in the case of a cloth mill which has a department for the manufacture of impregnated goods, such as oilcloth and rubberised fabrics, etc., and (2) to branches of undertakings which do not belong to the textile industry but which, if they were independent, would be considered as textile undertakings. If the spirit of the resolution on the textile industry adopted by the Nineteenth Session of the Conference is to be observed, there would seem to be no reason why the proposed international regulations should not cover these different branches of the industry. These various processes should therefore be explicitly or implicitly covered by the international regulations, whether the latter take the form of a single Convention or of separate Conventions for specified branches of the industry.

It is necessarily a matter of some difficulty to determine the exact scope of an international Convention and to establish a precise criterion equally valid in the different countries, once such a Convention is not limited to the basic operations of an industry, and accessory operations are also concerned. It would therefore seem advisable in such cases to leave the competent national authority to determine the dividing line between the undertakings and branches of undertakings covered by the regulations and those belonging to kindred industries.

It would moreover seem desirable to consider whether certain undertakings should not be excluded from the regulations by reason of their essentially family character. The family workshop is still frequently found in the textile industry, particularly in the weaving of luxury fabrics, furnishing stuffs, handkerchiefs and ribbons, etc. It will be necessary to have the opinion of Governments as to the exclusion of these classes of undertakings.

Lastly, once the scope of the international regulations as to undertakings has been defined, it will remain to consider whether all classes of workers employed in them shall be covered by the

week of less than 48 hours in the textile industry (Australia, Italy, New Zealand, United States, U.S.S.R.), and that some of them have introduced a working week of 40 hours or even less, the question for Governments on this point is whether it is desirable to introduce this limitation by means of international regulations.

DAILY MAXIMUM

The question of limiting hours of work must be considered not only with reference to the working week, but also to the working day. While most general laws and regulations mention eight hours as the normal working day, some of these which apply specially to the textile industry allow for a longer working day and the distribution of the weekly maximum over five days in the week. This type of limitation may indeed be convenient for some branches of industry, particularly for bleaching and dyeing—which are subject to seasonal rushes—since it is not always possible to estimate exactly how long the chemical processes used in this branch will last.

CALCULATION OF AVERAGE HOURS OF WORK OVER A NUMBER OF WEEKS

The regulations, whether general or applying to the textile industry alone, do not as a rule treat the industry as a seasonal one. There are however exceptions to this rule. The bleaching and dyeing industry is subject to seasonal fluctuations and several regulations which apply particularly to this branch provide that the number of hours worked per week may be calculated as an average for several weeks. Moreover, throughout the textile industry, it may happen that at certain times of the year there is a rush of orders for prompt delivery to meet the requirements of fashion. It seems that it is not always possible for an undertaking to meet these demands by taking on additional staff.

Governments should therefore be asked to express their views as to the expediency of calculating the 40-hour week as an average over several weeks. If they are favourable to such a scheme they should be asked to state whether the Draft Convention should fix the number of weeks for which the average may be calculated.

In the event of Governments being in favour of this form of limitation it would be necessary to know whether the international regulations should not mention daily and weekly maximums

which could not be exceeded except in certain specified circumstances, so as to avoid any abuse in the calculation of averages as a result of unduly long average hours per day or per week being fixed for the period of the average.

6. Shift Work

Manufacturing processes in the textile industry are mainly mechanical. There are no continuous processes the nature of which would make alternating shifts necessary. Accordingly there is no need to consider certain aspects of work in shifts such as work on all seven days of the week.

On the other hand work in two or three shifts interrupted on the weekly day of rest is of special significance for the textile industry in view of international competition. Work in several shifts reduces unit costs and increases production. In various circumstances, the question has arisen as to whether international regulations concerning hours of work in the textile industry ought not to contain stipulations limiting the operation of multiple shifts. The question is fraught with difficulties owing to the different views on shift work held by persons who are in favour of reducing hours of work. Governments will have to define their attitude in regard to this problem.

7. Exceptions

Investigation of the exceptions allowed in special regulations concerning hours of work and applying to the textile industry shows that some of these exceptions are to be found practically in all regulations. The purpose of such regulation is to protect human life in cases of *force majeure*, prevent damage to property in the event of accidents or avoid stoppages of work which might seriously disorganise the operation of the undertaking. It is of course essential that the head of the undertaking should be allowed to have such work carried out at any time.

Another type of exception which is less common is due to technical conditions. Longer hours may have to be worked in order to permit of completing a process which for technical reasons could not be interrupted without serious consequences. It has already been stated that processes which are mainly chemical occur in the finishing, bleaching and dyeing industries. Such

exceptions therefore apply to processes which in the textile industry only affect comparatively few workers. It would seem expedient to make provision for them.

Most regulations allow of working longer hours for the performance of preparatory and complementary work. Reference has already been made to the important problem of the time required for cleaning productive machinery. Some regulations allow exceptions for such work. If the time required for cleaning machinery is not to be included in normal hours of work, an exception should be contemplated in this respect.

Apart from the regular cleaning of productive machinery, regulations applying to the textile industry allow exceptions for certain other preparatory and complementary processes such as those connected with boilers, power, heating or lighting plants, drying rooms, hot presses and similar equipment. Corresponding exceptions would be justified in international regulations.

Further, several regulations allow of working longer hours in the case of intermittent work, such as that of porters, watchmen, gate keepers, mechanics and workers engaged in loading or unloading trucks or barges, etc. Governments might be asked to state their views as to the expediency of such an exception.

Finally the regulations usually allow of working longer hours in cases of extraordinary pressure of work. Such provisions have however in some cases been suspended during the depression so as to encourage undertakings to take on additional staff whenever business improves. A similar course might be adopted in the proposed international regulations. Nevertheless it would seem to be a mistake to introduce too strict a limitation of overtime in regulations which may remain in force for a much longer period than that of acute unemployment. In any event no definite tendency in favour of one course rather than the other is to be found in national regulations, and therefore it would not seem possible to omit, in the international regulations, any reference to overtime for extraordinary pressure of work unless Governments were almost unanimously in favour of such omission.

As regards the fixing of increased rates of pay for overtime, the international regulations should define the types of exception to which the increased rates are to apply. It will be remembered that, under the Washington Convention, the rate of pay for overtime to meet exceptional pressure of work may not be less than $1\frac{1}{4}$ times the regular rate. It is suggested that Governments bo-

asked to express their views in regard both to the fixing of a minimum rate of increase and to the type of exceptions to which the rate should apply.

8. Measures for Enforcement and Supervision

All international regulations concerning hours of work ought to contain provisions designed to facilitate the supervision of their application. In this respect there does not seem to be any need for innovation and the provisions made in previous Conventions would suffice. Governments should therefore be asked to express their views as to the expediency of including in the international regulations a clause to the effect that notices should be posted in conspicuous places indicating the distribution of the hours to be worked, the hours at which work begins and ends and, where work is carried on by shifts, the hour at which each shift begins and ends, rest intervals not included in hours of work, etc. Moreover the employer should be required to keep a record of all additional hours worked and of the rates paid for such hours.

Further, the regulations should specify the information to be supplied by Governments in annual reports on their application, particularly with reference to decisions given by the authority responsible for defining the scope of their application, to the number of hours worked per day and per week, to the calculation of average hours of work over a given number of weeks, and to the nature and extent of any exceptions.

9. Relation between the Proposed Draft Convention on Hours of Work in the Textile Industry and the 40-Hour Week Convention, 1935

The various aspects of this problem were discussed in the Red Reports which were addressed to the Governments of Member States immediately after the 1935 Session of the Conference and contained questionnaires dealing with the reduction of hours of work in the branches of employment selected for a second discussion in 1936.

The purpose of the questions was to ascertain the views of Governments as to whether it was desirable to indicate in the text of the proposed Draft Convention the connection between this Draft and the 40-hour Week Convention, 1935, which declares approval of the principle of a 40-hour week applied in such a

manner that the standard of living of workers is not reduced in consequence. In the event of their replying in the affirmative, Governments were asked to state what they considered would be the appropriate method of indicating this connection.

On the basis of the replies received to these questions from Governments, the Conference will have to settle the point with reference to the various proposed Draft Conventions concerning the reduction of hours of work which it will consider at its 1936 Session. There is every reason to suppose that the solution adopted for these proposed Drafts will serve equally well for the proposed Draft Convention concerning the textile industry.

CONSULTATION OF GOVERNMENTS

The foregoing analysis of the problems which might be dealt with by international regulation makes it possible to fix as completely as possible the points on which Governments might be consulted in conformity with the provisions of Article 6 of the Standing Orders of the Conference.

Taking into account the conclusions reached above and the solutions upon which, in the opinion of the Office, international agreement seems to be possible, the Office has drawn up a list of the points on which it considers that the Conference might request it to consult the Governments.

1. FORM OF THE REGULATIONS

- (a) A single Draft Convention applying to the whole of the textile industry, or
- (b) A set of Draft Conventions, each of which would apply:
 - (i) Either to several branches of the textile industry, or
 - (ii) To a given branch of that industry.

2. SCOPE OF THE REGULATIONS

- (a) Regulations applicable to:
 - (i) Persons engaged on certain specified operations;
 - (ii) Persons engaged in certain specified undertakings.
- (b) In the event of the regulations applying to persons engaged in certain specified undertakings, definition of such undertakings with reference:
 - (i) Either to raw materials used,
 - (ii) Or to operations in which they are engaged.

- (c) Desirability of allowing the competent authority in each country to exempt, if need be, certain classes of undertakings:
 - (i) Handicrafts;
 - (ii) Those in which only members of the employer's family are employed.
- (d) Desirability of requiring the competent authority in each country to define the line which separates the branches of undertakings subject to the Draft Convention from those not subject to it.
- (e) Desirability of allowing the competent authority in each country to exempt from the application of the Draft Convention certain classes of persons (persons occupying positions of supervision or management or engaged in technical control of operations).

3. DEFINITION OF HOURS OF WORK

- (a) Definition of hours of work as meaning the time during which the persons employed are at the disposal of the employer, not including rest periods during which they are not at his disposal.
- (b) Desirability of including in or excluding from normal hours of work all time spent on the regular cleaning, upkeep and oiling of productive machinery.

4. LIMITATION OF HOURS OF WORK

- (a) Limitation of normal hours of work to forty per week.
- (b) Desirability of calculating weekly hours of work as an average over a longer period than a week either for the whole of the textile industry or for certain branches of that industry.
- (c) Desirability of fixing the period in respect to which the weekly average should be calculated, either for the textile industry as a whole, or for certain branches of that industry,
 - (i) In the International regulations, in which case the number of weeks should be stated;
 - (ii) By the competent authority for each country.

- (d) Desirability of fixing a daily limit to hours of work: indication of that limit.
- (e) Desirability of permitting the daily limit to be exceeded, provided that the average weekly limits are respected, either for the textile industry as a whole or for certain branches of that industry:
 - (i) Indication of the extent to which the daily limit may be exceeded;
 - (ii) Procedure for the grant of permits.
- (f) Desirability of fixing a maximum limit to weekly hours of work in the event of hours of work being calculated as an average for several weeks: indication of that limit.
- (g) In the event of a weekly maximum being fixed, desirability of permitting that weekly maximum to be exceeded provided the weekly averages are respected:
 - (i) Determination of the grounds on which such extension may be allowed;
 - (ii) Determination of the maximum weekly extension;
 - (iii) Procedure for the grant of permits.

5. SHIFT WORK

Desirability of limiting or suspending shift work:

- (i) Determination of the grounds on which such restrictions might be introduced;
- (ii) Scheme of regulation and procedure for the grant of permits.

6. EXCEPTIONS

- (a) Desirability of allowing exceptions to the scheme contained in the provisions mentioned above, either for the textile industry as a whole or for certain branches of that industry:
 - (i) To avoid serious interference with the ordinary working of the undertaking: in case of accident, actual or threatened; in case of urgent work to be done to machinery or plant; in case of "force majeure";

- (ii) To allow of completing an operation which lasts longer than the normal duration of a shift or cannot, for technical reasons, be interrupted at will;
- (iii) For the performance of preparatory or complementary work, in particular the cleaning of productive machinery, if it is not considered that such work should be done during normal hours of work;
- (iv) In the case of persons whose work is essentially intermittent;
- (v) To enable undertakings to meet extraordinary pressure of work;
- (vi) On any other grounds.

(b) Desirability of having the extension contemplated in the various cases mentioned above limited:

- (i) Either by International regulation, in which case the proposed limits should be indicated;
- (ii) Or by the competent authority in each country.

(c) In the event of an extension being allowed to meet extraordinary pressure of work:

- (i) Desirability of breaking up the overtime allowance into fractions and laying down special conditions on which each fraction may be utilised;
- (ii) In the event of such provision, indication of the fractions and conditions.

(d) In the event of an extension being allowed on other grounds, indication of the conditions for the granting of such exceptions.

(e) Increased rates of pay for hours worked in excess of normal limits:

- (i) Desirability of specifying the cases in which increased rates shall be paid for overtime;
- (ii) Fixing of a single rate of increase;
- (iii) Fixing of different rates of increase for work:
 - at night,
 - on Sundays,
 - on legal public holidays;
- (iv) Indication of the single or several rates of increase.

8. GENERAL MEASURES FOR ENFORCEMENT AND SUPERVISION

Desirability of imposing certain obligations:

(a) On employers:

Posting of notices giving details of the hours of work in operation and of the measures adopted for applying the system, the hours at which work begins and ends and, where work is done in shifts, the hours at which each shift begins and ends; rest periods not included in hours of work, etc.;

The keeping of a record of all additional hours worked and of the payments made in respect thereof;

Any other measures;

(b) On Member States:

Information to be given in annual reports.

9. THE RELATION BETWEEN THE PROPOSED DRAFT CONVENTION ON HOURS OF WORK IN THE TEXTILE INDUSTRY AND THE 40-HOUR WEEK CONVENTION, 1935

APPENDIX

PRINCIPAL STATUTORY PROVISIONS LIMITING HOURS OF WORK IN INDUSTRY

The body of this Report includes information on the legislation relating specially to the textile industry, as well as on the relevant provisions of codes, arbitration awards, collective regulations, collective agreements, etc.

The regulations applying to all industries alike which are laid down by general enactments are summarised in the tables in this Appendix.

In view of the large number of laws in operation, it has been considered necessary to present the subject matter in as simple a form as possible and for this reason the various legislative provisions have been set out in tables.

The first table shows for each country the scope of application of the law as defined in each enactment, the normal limits of hours of work per week and, wherever indicated, the special provisions concerning a different distribution of working hours, the hours of work in continuous processes carried on over the seven days of the week, and the possibilities of making up lost time in certain specified circumstances.

The other tables show the various exceptions allowed to the normal limits, the nature of the exception, its duration and the increased rate of remuneration prescribed for such overtime.

In view of the diversity of the exceptions allowed these have been grouped under two main headings: 1. Exceptions for unspecified reasons; 2. Exceptions for specified reasons. The latter group falls into two subdivisions, viz. (a) permanent exceptions, i.e. those almost invariably allowed for preparatory or complementary work which must necessarily be performed outside the normal working hours of the undertaking, or for certain categories of employees whose work is essentially intermittent, and finally, the special systems allowed in certain countries in respect of seasonal industries; (b) temporary exceptions provided in order to meet the following special requirements: accidents, actual or threatened,

urgent repairs to be done to machinery or plant; to prevent the deterioration of perishable raw materials; technical reasons; cases of *force majeure*; to avoid serious interference with the work of the undertaking; general economic reasons; exceptional pressure of work and, finally, for reasons connected with the public or national interest.

As the terminology employed varies from one country to another, an exception explicitly mentioned in one law may be covered by a more general term in another. The only means of comparing the various possibilities of exception was therefore to enumerate them country by country. To facilitate this comparison the detailed tables on exceptions are preceded by a general survey (p. 115).

In some countries, for example in Great Britain (women and young persons) and in Italy, the statutory limitation of working hours is no longer representative of present conditions. It has therefore been considered necessary to give, in the notes to the table, some indication of the system of regulation of hours of work actually in operation in these countries.

PROVISIONS CONCERNING NORMAL HOURS
OF WORK

Table I. — Provisions concerning

Country and date of legislation ¹	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
ARGENTINA A. 12.9.29 (L.S., Arg.1). D. 11.3.30 (L.S., Arg.1). D. 16.1.33 (L.S., Arg.1).	Persons employed on account of another in any public or private undertaking, even if not carried on for profit.	Persons employed in agriculture, stock-raising and domestic work; undertakings in which only members of the family of the head, owner, occupier, manager, director or principal person in charge of the undertaking are employed.
AUSTRALIA: New South Wales A. 2.12.32 (L.S., Austral. 5). Queensland A. 6.1.33 (L.S., Austral.1). Tasmania A. 13.1.11 (B.B., 1913, p. 395). Western Australia A. 31.12.20. South Australia A. 9.12.20 (L.S., 1926, Austral. 1, App. A). Victoria A. 12.2.29 (L.S., Austral. 13).	Including industry. Including industry. Factories, including handicrafts, in which 4 or more persons, including the occupier, are employed. Factories, including handicrafts, in which at least 4 persons are employed. Factories (women and young persons). Factories occupying 4 persons or more (women and young persons).	— — Persons employed in agriculture, mines, and in the building industry. Persons employed in agriculture, mines and in the building industry. — —
AUSTRIA A. 17.12.19 (L.S., 1920, Aus. 12-15). A. 16.5.33 (L.S., Aus. 5).	Wage-earning and salaried employees in undertakings subject to the provisions of the Industrial Code.	Employees holding positions of supervision or management or employed in a confidential capacity.
BELGIUM A. 14.6.21 (L.S., Bel. 1).	Mines, quarries; industries in which goods are manufactured or transformed; building, public works, private works executed by civil engineers (<i>génie civil</i>); gas and waterworks; generation, transformation and transmission of electricity and motive power; ship-building, etc.; transport by land; loading, unloading and handling of goods at ports, quays, warehouses and stations; dairies and cheese factories.	Undertakings in which only the members of a family are employed, provided that such undertakings have not been classified as dangerous, unhealthy and noxious and that steam boilers or mechanical power are not used.
BOLIVIA A. 21.11.24 (L.S., Bol.2). A. 8.1.25 (L.S., Bol.1). D. 16.3.25 (L.S., Bol.1).	Salaried employees in industry, or in mines and State or private railway undertakings, whether under construction or actually working.	Salaried employees in the service of the State, a municipality, a department or a territory (railways excepted); salaried employees who perform their work from their own homes; salaried employees whose work is not continuous; salaried employees of railway undertakings who do not work in the departmental management offices, except in case of an agreement to the contrary; salaried employees protected by other laws.

¹ In these tables and those that follow, the following abbreviations have been used: A. for Act; D. for Decree; R.D. for Royal Decree; L.D. for Legislative Decree; O. for Order; N. for Notification;

ormal Hours of Work

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8 7 at night Dangerous and unhealthy industries: 6	48 38	Over a fortnight by agreement.	144 over 18 working days subject to an average of 48 hours, and provided the weekly hours of work shall not in any case exceed 56	—
—	44 (a)	—	—	—
—	44	—	—	—
10	48	—	—	—
8½	48	Different arrangement of daily hours permitted subject to maximum of 10 a day.	—	—
10	48	—	—	—
10	48	—	—	—
8	—	Over the week by collective agreement.	56 in 3 weeks	Time lost owing to public holidays and festivals during the two weeks immediately preceding or following a holiday. Maximum daily hours of work 10
8	48	Averaged over 3 weeks. If work is organised in successive shifts, 1 equivalent limitation over a period longer than a week for (1) seasonal industries (2) undertakings where the sole motive force employed is the wind, (3) undertakings where the sole motive force employed is water, (4) in undertakings where the normal limits are inapplicable	56 in 3 weeks (b)	—
8	—	—	—	—

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
BRAZIL D. 4.5.32 (L.S., Braz.3).	Workers occupied in industrial undertakings of any kind.	Persons who perform technical work of a specialised character or who hold positions of management, supervision, inspection or trust; persons belonging to one and the same family engaged in manual work.
BULGARIA R.D. 24.6.19. A. 25.6.32 (L.S., Bulg.3). L.D. 1.9.35 (L.S., Bulg.6).	Industrial undertakings, handicrafts, transport, building.	Undertakings in which only members of the family of the occupier are engaged in home work unless such work has been classified as dangerous and unhealthy.
CANADA (d) Dominion of A. 5.7.35 (L.S., Can.11).	Persons occupied in industrial undertakings.	Persons holding positions of supervision or management, or employed in a confidential capacity; undertakings in which only members of the same family are employed.
CHILE L.D. 13.5.31 (L.S., Chil.1). A. 8.2.34 (L.S., Chil.1).	Workers occupied in industrial undertakings. Employees in industrial undertakings.	Persons holding positions of supervision, management or trust, such as stewards, foremen, hall porters, etc. —
CHINA (e) A. 30.12.32 (L.S., Chin.2).	Factories occupying normally 30 workers or more.	—
COLOMBIA D. 26.4.34 (L.S., Col. 1).	Wage-earning and salaried employees in mines, industrial undertakings (factories and workshops), construction, transport.	Persons holding positions of supervision, management or trust. Agricultural and domestic workers. —
COSTA RICA D. 16.8.20 (L.S., C.R. 1). D. 14.8.29 (L.S., C.R. 1).	Workers in factories, workshops and similar undertakings.	—
CUBA D. 19.9.33; D. 19.10.33; D. 11.11.33; D. 2.12.33 (L.S., Cub. 4).	Wage-earning and salaried employees in factories, workshops, building yards of any kind, mines, and transport undertakings.	Persons employed in agriculture, stock raising, personal domestic service; taxi and cab drivers.

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8 7 at night	48 (c)	Possibility of a different distribution subject to a daily maximum of 10 hours	—	—
8 6 (dangerous and unhealthy industries and at night)	48	—	4 shifts of 6 hours each or 42 hours a week	—
8	48	3 weeks for shift workers By agreement where normal limits are recognised as inapplicable provided the average number of hours of work per week over the period covered by the agreement does not exceed 48	50	Possibility of making up hours lost on certain working days within the week Maximum daily limit 9 hours
8	48	—	—	Possibility of making up time lost certain days on the other days of the same week Maximum daily limit 9 hours
—	48	—	—	—
8	—	—	—	—
8	48	3 weeks for shift workers	54 a week	Possibility of making up time lost certain days on the other days of the same week Maximum daily limit 9 hours
8	—	—	—	—
8	48	The daily limit may be extended subject to the observance of the 48 hour week	8 pershift 208 per month in public services where continuous work is necessary	—

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
CZECHOSLOVAKIA A. 19.12.18 (^f) (B.B., 1919, p. 26).	Wage-earning and salaried employees in undertakings subject to the Industrial Code or carried on as factories and in all undertakings, works and institutions carried on by the State, by public or private associations, funds, societies and companies of a profit-making, public utility or charitable nature, mines; in agriculture and forestry for such persons as live outside the household of the employer and receive daily, weekly or monthly wages.	Persons engaged in home work, unless it is in continuation of work done at a workplace.
DENMARK A. 12.2.19 (B.B., 1919, p. 40).	Workers occupied in continuous processes.	—
DOMINICAN REPUBLIC A. 21.6.35 (L.S., Dom. 1).	Wage-earning and salaried employees, occupied in industrial undertakings.	Persons holding positions of supervision or management or employed in a confidential capacity. Persons employed in domestic service or in agricultural and rural work, or in small-scale undertakings situated in rural districts.
ECUADOR A. 6.10.28 (L.S., Ec. 2). D. 13.11.34 (L.S., Ec. 2).	Wage-earning and salaried employees in industrial undertakings.	Persons engaged in domestic service and homework; persons in positions of trust, management or supervision.
ESTONIA A. 10.7.31 (L.S., Est. 5).	Wage-earning and salaried employees occupied in mines, quarries and other works for the extraction of minerals from the earth; industrial undertakings of any kind, including transport undertakings.	The employer and his dependants; directors, managers, persons responsible for managing or supervising work; home-workers and persons employed on work of an irregular character; watchmen, members of fire brigades and doorkeepers.
FINLAND A. 27.11.17; A. 14.8.18 (B.B., 1918, p. 36).	Wage-earning and salaried employees in industry.	Members of the family of the occupier of the undertaking.
FRANCE A. 23.4.19 (B.B., 1919, p. 48).	Wage-earning and salaried employees in industrial and commercial undertakings or in their dependencies, whatever their nature, whether public or private, secular or religious, even where they serve the purposes of trade instruction or are of a philanthropic nature.	Members of one and the same family employed under the authority of the father, mother or guardian.

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8	48	4 weeks in certain industries	48 hours. Work in excess of this figure for relief of shifts paid for at overtime rates	—
—	—	—	8 hours per shift 160 hours in 3 consecutive weeks	—
8	48	—	Shifts of 8 hours, work may be prolonged by not more than 1 hour for the purpose of relieving the shift	—
8 7 at night	44	—	—	In the case of a general stoppage of work due to accidental or unforeseen causes, force majeure etc., if the employer has paid wages or salaries in advance or continues to pay them during the stoppage. Maximum of 3 hours a day
8	48	—	56 hours (168 hours in 3 consecutive weeks)	In agreement with the employees if a general stoppage of work occurs in an undertaking or in a department thereof for unforeseen reasons beyond the control of the management (deterioration of raw materials damage to the power plant, effects of the weather) Maximum of 1 hour a day
8	96 a fort-night.	—	64 hours (168 hours in 3 consecutive weeks)	—
8	48	Possibility of distribution over a period other than a week.	48 to 56	In case of a general stoppage of work due to accident, force majeure, statutory and local public holidays, etc. This facility has been suspended in a number of industries in respect of statutory and local public holidays. In most cases an overtime credit has been allowed subject to certain restrictions

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
GERMANY O. 26.7.34 (L.S., Ger. 13).	(a) Workers in industrial and transport undertakings (excluding maritime and aerial transport), mines, and in industrial undertakings subsidiary to agriculture; (b) office and technical employees in establishments and administrative offices of any kind even if they are not carried on for profit.	(a) General managers and officially recognised representatives of an undertaking; employees holding positions of management (with at least 20 employees or 50 workers under their orders) or whose annual salary exceeds the maximum prescribed for obligatory insurance; (b) employees in agriculture and forestry and in industrial undertakings subsidiary thereto.
GREAT BRITAIN (d)	—	—
GREECE D. 27.6.32 (L.S., Gr. 2).	Wage-earning and salaried employees in industrial undertakings.	—
GUATEMALA A. 20.4.26 (L.S., Gua. 1).	Wage-earning and salaried employees in industrial and commercial undertakings.	—
HAITI A. 10.8.34, A. 5.9.34 (L.S., Haiti 1).	Wage-earning and salaried employees in industry.	—
HONDURAS, Constitution of D. 10.9.24.	Wage-earning and salaried employees in industry.	—
INDIA A. 20.8.34 (L.S., Ind. 2).	Workers in factories occupying 20 workers or more.	—
ITALY (i) L.D. 15.3.23 (L.S., It. 1). D. 10.9.23 (L.S., It. 7).	Wage-earning and salaried employees in industrial and commercial undertakings of all kinds including establishments for technical education and those of a philanthropic character; in offices, on public works, in hospitals and in all places where work is performed for a salary or wages on account of another or under the direct control of another.	Persons engaged in domestic work, the managing staff of undertakings, and commercial travellers.
JAPAN A. 29.3.23 (L.S., Jap. 1).	Women and children in factories occupying 10 workers or more.	—

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8 (g)	—	—	—	Hours lost on certain days of the week may be made up within the fort night subject to a daily maximum of 10 working hours
—	—	—	—	—
8	48	3 weeks in the case of shift work	56	Hours of work lost due to force majeure unforeseen causes statutory or local holidays effects of the weather subject to a daily maximum of 10 working hours
8	48	Possibility of distribution over a period other than a week	—	—
8	—	—	—	—
8	—	—	—	—
10 Seasonal Industries 11	54 60	—	56	—
8	48	Distribution over a period longer than a week in certain cases, provided the average duration of work during a specified period shall not exceed the limits fixed by Royal Decree	56 for one week in a period of 3 weeks with an average of 48 a week	In the event of stoppages of work due to unforeseen causes beyond the control of the worker or employer or due to force majeure and to interruptions of the normal time-table agreed upon between employers and employees. Prolongation not to exceed 1 hour a day
11 hours per day including a rest period of 1 hour		—	—	—

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
LATVIA A. 24.3.22 (L.S., Lat. 1).	Workers in all private, municipal, public and State undertakings and establishments, including tramway and motor omnibus employees; and workshop employees and wage-earning employees in the communication services engaged in manual work.	Agricultural workers, persons employed on board vessels, domestic workers, persons employed in hospitals and certain classes of employees in the communication services. Persons responsible for the direction or supervision of work or holding positions of trust.
LITHUANIA A. 30.11.19 (L.S., 1920, Lith. 2). A. 2.4.31 (L.S., Lith. 2).	Workers in factories and other workplaces.	Persons occupied in agriculture and forestry in which hours of work are regulated by special Orders; and in those departments of transport undertakings in which workers are sent out to work (railways, steamers, boats).
LUXEMBURG O. 30.3.32 (L.S., Lux. 1). O.6.1.33 (L.S., Lux. 1).	Wage-earning and salaried employees in any public or private industrial undertaking or in any branch thereof.	Persons holding positions of supervision or management and persons employed in a confidential capacity. Undertakings in which only members of the same family are employed. Agricultural and commercial undertakings.
MEXICO A. 18.8.31 (L.S., Mex. 1).	Wage-earning and salaried employees in industrial establishments.	Persons engaged in domestic service with the exception of those employed in hotels, inns, hospitals and other similar commercial undertakings.
NETHERLANDS D. 17.9.30 (L.S., Neth. 2). D. 16.10.26 (L.S., Neth.2).	Workers in industrial undertakings.	Workers occupied in agriculture, horticulture, forestry or cattle-keeping; in mines; the head or manager of an undertaking and his wife.
NEW ZEALAND A. 6.2.22 (Public Acts of New Zealand, 1908-1931, Vol. 3, p. 197).	Factories.	—

¹ A working day which includes periods of day work and night work shall be deemed to be a mixed three and a half hours or more of night work, it shall be deemed to be night work.

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8 (6 on Saturdays)	—	—	No worker may be employed on night work for more than 48 hours in any period of 3 weeks	—
8	48	—	—	In cases of temporary necessity in any department of an undertaking because the work therein has been interrupted or completely stopped owing to unforeseen circumstances thereby hindering the work in other departments of the undertaking
8	48	3 weeks in the case of shift work, and over a longer period in exceptional cases where it is recognised that the normal limits are inapplicable, subject to agreement between employers' and workers' organisations concerned	56	—
6 7 (at night), 7½ (mixed working day), 6 (young persons from 12-16 years of age)	48	Over a longer period by agreement	—	—
8½	48	3 weeks in the case of shift work. By agreement between employers' and workers' organisations, distribution over the year, subject to a maximum of 11 hours a day, 62 hours a week and 2,500 hours a year for adult men	According to the nature of the work performed 48 hours (144 hours in 3 consecutive weeks or 192 hours in 4 consecutive weeks), 52 hours (156 hours in 3 consecutive weeks), or 56 hours (168 hours in 3 consecutive weeks)	—
8½ Women and young persons 8¾	48 45	—	—	—

working day, provided that the period of night work is less than three and a half hours, if it includes

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
NORWAY A. 11.7.19 (B.B., 1919, p. 182).	Workers in industrial undertakings, including handicrafts where at least 5 persons are regularly employed.	Workers in undertakings which on account of the short duration or limited nature of the operations cannot be brought under organised management.
PANAMA A. 29.10.14 (B.B., 1916, p. 24). A. 28.12.32 (L.S., Pan. 2).	Wage-earning and salaried employees in factories or workshops, even if the remuneration for the services is paid in the form of a share in the profits, dividend or commission.	—
POLAND N. 25.10.33 (L.S., Pol. 1).	Wage-earning and salaried employees in industrial and commercial undertakings, mines, communication and transport undertakings and other industrial undertakings of whatever kind, whether public or private.	—
PORTUGAL L.D. 24.8.34 (L.S., Port. 5).	Wage-earning and salaried employees in industrial and commercial undertakings, including municipal transport undertakings.	Members of the family of the occupier in small undertakings of a distinctly family character. Persons holding positions of management, supervision or trust.
RUMANIA A. 9.4.28 (L.S., Rum. 1). R. 30.1.29 (L.S., Rum. 1). R.D. 10.10.32; R.D. 19. 12.32 (L.S., Rum. 6).	Workers in industrial undertakings of every kind and in the branches, sections, departments or dependencies thereof, including transport undertakings.	Undertakings in which only members of the same family are employed; seamen and boatmen employed in transport by sea or on inland waterways; home-workers; persons holding positions of management, supervision or trust.
SALVADOR A. 13.6.28 (L.S., Sal. 1).	Wage-earning and salaried employees in industrial and commercial undertakings, including railways, tramways and other transport undertakings.	—
SOUTH AFRICA A. 5.6.31 (L.S., S.A. 2).	Factories.	—
SPAIN D. 1.7.31 (L.S., Sp. 9).	Wage-earning and salaried employees in industrial undertakings, occupations and paid work of all kinds carried on under the direction or supervision of another on account of the State, a province or a municipality, either directly or under a concession or contract, or on account of a private undertaking.	Directors, managers and other high officials; domestic servants, porters of private houses and all persons who perform similar duties and who live in the building under their care; field watchers and other persons engaged in similar work of an occasional nature and of short duration.

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8½	48	Period of 4 weeks for loading and unloading operations	48	—
8	—	—	—	—
8	48	—	56	Time lost in any week may be made up during the following three weeks Maximum daily working hours 9, 192 over a period of 4 weeks
8	—	—	8 per shift	—
8	49	3 weeks in the case of shift work, or any other period if the limits fixed are deemed to be inapplicable	56	—
8	—	—	—	—
8	48	Over period other than a week	—	—
8	—	Distribution over the week by agreement between employers and workers Maximum daily limit 9 hours	—	Time lost due to suspension of work on festivals other than Sunday Maximum weekly limit 50 hrs Time lost for reasons beyond the employer's control, force majeure etc. 1 hour a day Any time worked in excess of 52 hours a week to be paid for as overtime

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
SWEDEN A. 16.5.30 (I.S., Swe. 1).	Workers occupied in undertakings whether industrial or not, including building of houses, road construction, hydraulic engineering, drainage and any other similar special undertaking, occupying ordinarily more than 4 workers.	Homeworkers; workers employed on work of so irregular a nature that it cannot be brought within fixed hours; forestry, including charcoal burning, timber-floating; agriculture, gardening, care of animals; turf cutting; traffic staff of railways; doorkeepers. Members of the employer's family, foremen and other persons employed in a position of authority.
SWITZERLAND (j) A. 27.6.19 (B.B., 1919, p. 205). O. 3.10.19 (B.B., 1919, p. 215). D. 7.9.23 (I.S., Switz. 3).	Workers occupied in industrial undertakings in which 6 or more workers are employed with the use of mechanical power; or in which mechanical power is not used, but in which 6 or more workers, including at least one young person, are employed; or in which mechanical power is not used and young persons are not employed, but 11 or more adult workers are occupied; or in which fewer workers than those specified above are employed, but in which there is special danger to the life or health of the workers or which are unmistakably of the nature of factories as regards the manner in which their work is carried on.	Workers employed exclusively in their homes; persons employed exclusively in cleaning operations outside the working hours of the factory; persons to whom the owner has assigned an important function in the conduct of the undertaking or an agency outside the premises; staff of the commercial and technical offices.
Basle-Town A. 8.4.20 (L.S., Switz. 2-3). A. 3.7.30 (L.S., Switz. 9).	Workers in any kind of employment, whether public or private, including domestic service and home work.	Employments in which hours of work are regulated by Federal laws. Directors and heads of departments of public administrations, institutions and undertakings. Persons engaged in the management of joint-stock companies, societies and clubs (members of the administrative body or board of management and directors), agents and authorised representatives who actually manage undertakings or take part in the management thereof; certain non-industrial professions.
Glarus A. 6.5.23 (L.S., Switz. 4).	Employees, assistants, workers, apprentices, probationers and voluntary workers of all kinds in private undertakings and institutions. Drivers of motor lorries. Caretakers in public and private buildings; drivers of taxi-cabs and cabs; messengers; homeworkers. All undertakings not covered by the Federal Factory Act, or the Federal Act respecting hours of work on railways, etc., employing at least one wage-earning or salaried employee or apprentice.	Agriculture, carting and motor transport.

Normal Hours of Work (*continued*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8	48	May be authorised by Labour Council provided the average over a specified period shall not exceed 48 hours a week	Prolongation of hours allowed by authorisation of Labour Council	Possibility of making up lost time due to a stoppage of work
—	48	—	56	Time lost on holidays which are not treated as Sundays or on local festivals or on working days falling between a Sunday and a holiday, may be made up on other days of the same week or the preceding or following week subject to the consent of the workers concerned
—	—	—	—	—
8½	48	Within the limits of a 48 hour week, daily hours of work may be extended to 8½, 9 hours in the building industry	—	—
9½ 10	51 60	—	—	—
10	55	—	—	—

Table I. — Provisions concerning

Country and date of legislation	Scope of application	
	Persons or undertakings included	Persons or undertakings excluded
URUGUAY A. 17.11.15 (B.B., 1916, p. 29). D. 15.5.35 (L.S., Ur. 4).	Workers in factories, workshops, dockyards, quarries, works of construction, earthworks; on work at ports, or on riversides and rivers; employees or assistants occupied in industrial and commercial establishments; drivers, guards and other persons employed on railways and tramways; riverside carriers and, in general, all persons engaged in work of the same kind as that of the workers and employees designated above.	Agricultural work; domestic service; heads and managers of industrial undertakings; technical heads of public supply services; members of the employers' family; station masters, masters of vessels, etc.; persons sharing in the profits of the undertaking or earning not less than 3,000 pesos a year.
UNITED STATES OF AMERICA (h)		
U. S. S. R. (l) O. 2.1.29; O. 22.2.29 (L.S., Russ. 3).	All productive undertakings in industry, transport, communications and communal economic activities, whether State, public or private.	—
VENEZUELA A. 23.7.28 (L.S., Ven. 2).	Undertakings, businesses, and establishments of any kind, whether public or private, such as: industrial, mining, agricultural and stock-raising undertakings and commercial establishments.	—
YUGOSLAVIA A. 28.2.22 (L.S., S.C.S. 1). O. 16.4.29 (J.S., S.C.S. 1).	All undertakings carrying on handicrafts, industry, commerce, transport, mining and similar activities, whether private or public, permanent or temporary, whether they are principal undertakings or subsidiary businesses carried on in connection with other undertakings or whether they are carried on as entirely independent undertakings or form parts of undertakings in agriculture or forestry.	Undertakings in which only members of one and the same family are employed. Persons to whom duties of a relatively high grade are entrusted (managers, bookkeepers, cashiers, engineers, etc.).

ormal Hours of Work (*concluded*)

Normal hours of work		Distribution over a different period	Average weekly working hours in continuous processes	Making up of lost time
per day	per week			
8	48	Undertakings which have introduced the 5½ day week may work not more than 9 hours a day for five days and 3 hours on the sixth	—	—
7	—	—	7 per shift (In continuous industries in which for technical reasons the introduction of a single daily 7 hour shift is impossible a different arrangement of work may be introduced by agreement subject to the consent of the labour authority and provided the average duration of the normal daily hours of work shall not exceed 7 hours)	—
9 8 (mines)	—	—	—	—
8 Handicrafts according to their classification 8 9 10	48 48 54 60	Distribution over a longer period in the case of shift work provided the hours of work averaged over a period of 3 weeks or less does not exceed the normal weekly limits	Possibility of prolongation Maximum of 60 hours a week Hours in excess of 48 paid for at overtime rates	—

NOTES TO TABLE I

(a) In *New South Wales* it is the duty of the Industrial Commission to fix the standard working week under the Industrial Arbitration (Amendment) Act, 1932. This Commission intimated in June 1933 that it was in favour of the 44-hour week and that it proposed to make a declaration to that effect at a later date. The 44-hour week is at present in operation in New South Wales.

(b) In *Belgium* a compensatory rest period of not less than 26 full days per year must be given. The King may authorise the average to be calculated on some basis other than three weeks.

(c) In *Brazil* the 48 hours may be distributed in a different way provided that the daily hours of work do not exceed 10.

Normal hours of work may be increased to 10 per day and 60 per week if the employers and workers have so agreed, or if this is stipulated by collective agreements, subject to increased rates of pay; but this does not apply to unhealthy industries or underground work, where hours of work may not exceed 8 per day.

(d) In *Canada*, the Federal Act came into operation three months after the date on which it was assented to. The question of its constitutionality is now before the Supreme Court.

(e) In *China* on 30 December 1929, the Legislative Assembly adopted a Factory Act which was promulgated by the National Government and codified on 30 December 1932. Section 8 of the Act limits the normal daily hours of work of adult workers to 8, but lays down that hours of work may be raised to 10 when this is necessary to meet special local conditions, or on account of the nature of the work. Further, in cases of *force majeure*, unforeseen emergencies or seasonal variations, hours of work may be prolonged, provided that they do not exceed 12 per day, and that the amount of additional work done does not exceed 46 hours per month.

(f) In *Czechoslovakia* an agreement of principle, which, like the measures adopted in the United States of America and Italy, aims at restoring the unemployed to employment, was signed on 22 June 1934 by the Czechoslovak Employers' Federation and the following workers' organisations: the Czechoslovak Federation of Trade Unions, the Czechoslovak Federation of Labour, the Federation of German Trade Unions in Czechoslovakia and the General Council of Christian Trade Unions.

It was agreed that a maximum week of 40 or 42 hours should be worked so far as economically and technically possible, that a 32-hour week should be the minimum and that new workers should be engaged. Special arrangements were to be made for continuous process undertakings and undertakings in which work is organised in shifts. Hourly wage rates were not to be altered, so that weekly earnings would fall in accordance with the reduction in hours. Overtime should be limited to what was strictly necessary.

The agreement stipulated that the signatory organisations should take concerted action with regard to the engagement of additional labour, and negotiations with this object in view were entered into between the employers' and workers' representatives in the following industries: food trades, printing and bookbinding, wood, brewing, metal industry, textile industry, transport, glassworks. No final agreement was, however, reached

at the time as the workers were opposed to any reduction in their weekly earnings

Since then the employers and workers organisations in the glass bottle brewing leather artificial silk and distilling industries concluded under the auspices of the Government agreements instituting the 40 42 hour week and regulating the application of the provisions relating to night work and to weekly rest

Moreover the Minister of Labour has prepared a draft Bill for the introduction of the 40 hour week in factories and in the building industry in undertakings occupying at least ten workers

(g) In Germany the Order of 26 July 1934 concerning hours of work allows hours to be prolonged beyond the normal limit by means of collective rules provided that the daily maximum of 10 hours is not exceeded

(h) In Great Britain the hours of work of adult males are not limited by law except in the mining industry and certain dangerous or unhealthy industries or processes Hours of work of women and young persons are regulated by the Factory and Workshop Acts of 1901 and 1907 and by the Employment of Women Young Persons and Children Act of 1920 and in mines by mining legislation

Since 1919 the system of collective agreements has developed so much that such agreements have practically replaced the provisions of the Factory and Workshop Acts relating to hours of work Nearly all the agreements prescribe a normal working week of not more than 48 hours In a letter which the Secretary to the Ministry of Labour addressed to the Secretary of the Cabinet as early as 22 July 1921 it was shown that the collective agreements and the Coal Mines Acts laid down a normal working week of not more than 48 hours and covered 10 to 12 million workers in the United Kingdom i.e about 70 to 80 per cent of the total employed population and practically all those persons employed in industrial undertakings including engineering ship building mines railways docks the textile industry and the building industry Moreover a week of about 48 hours is normally worked in many cases not covered by actual agreements In these circumstances it has not been thought necessary in table II to deal with the special exceptions as to the maximum legal hours for women and young persons as to which there are various detailed provisions in the Factory and Workshop Acts

(i) In Italy an agreement with a view to reabsorbing unemployed workers in industry was signed on 11 October 1934 between the National Fascist Confederation of Industrial Workers and the National Fascist Confederation of Manufacturers The agreement aimed at reducing hours of work to a maximum of 40 in the week with wages in proportion to the shorter hours but supplemented by family allowances for workers who are fathers of families it was intended further to abolish overtime to restrict the employment of women and young persons in favour of men and to abolish the employment of persons in receipt of pensions

In view of the application of the clauses of the agreement relating to the reduction of hours of work some sixty agreements were concluded between the national confederations of manufacturers and workers in different branches of industry

The inter confederal agreement together with the agreements for application in each industry were concluded and applied as an experiment and their validity was limited to the period ending 16 April 1935 In the meantime the Fascist Grand Council having noted the highly satisfactory results obtained by the enforcement of the 40 hour week in respect of the engagement of workers formerly unemployed decided on 16 February 1935 that with or without international agreement the working week of 40 hours shall be placed on a permanent basis and wherever possible strictly enforced

In order to give effect to this decision the National Fascist Confederation of Industrial Workers and the National Fascist Confederation of Manufacturers agreed in May 1935 that the validity of the general agreement signed by the two Confederations on 11 October 1934 as well as of the agreements for application in the different industries concluded by the national

federations should be extended until the Confederations had adopted new measures.

Finally, in June 1935 a new agreement was concluded for the introduction of the 40-hour week on a permanent basis.

This agreement applies to all those workers represented by the Fascist Confederation of Workers in Industry and employed in industrial, handicraft and co-operative undertakings represented by the Fascist Confederation of Industrial Employers and by the Federation of Co-operative Establishments affiliated thereto who are covered by the current legislation on hours of work.

The hours of work are fixed at 40 in the week for discontinuous work and at 42 in the week in the case of continuous processes. Whenever hours of work are averaged over several weeks the National Federations will determine the number of weeks over which average hours of work should be calculated.

The exceptions provided for by law remain in force unless the competent unions agree upon more favourable conditions either as regards the nature of the exceptions or as regards the number of hours by which the normal hours may be exceeded in each case. These exceptions relate to preparatory and complementary work, intermittent work, technical or seasonal requirements and cases of *force majeure*. In the case of classes of employment which do not come under the hours legislation the competent national employers' and workers' associations will examine the possibility of reducing hours of work and will draw up agreements on the subject.

Whenever the hours mentioned above are exceeded the employer must within 24 hours inform his local organisation, which will in turn inform the corresponding organisation of workers, stating the reasons for which, in the employer's opinion, the situation cannot be met by the engagement of new workers. Whenever the organisations do not consider these reasons justified they must provide for the cessation of overtime. In cases of disagreement the Corporative Inspectorate will decide. Such overtime will be paid for at the rate provided for in the collective agreements, or in the absence of any provision on the subject, in the legislation.

The employer must pay to the National Family Endowment Fund 5 per cent. of the wages paid in respect of any hours worked over 40, or over any higher normal hours of work which may be fixed. The provisions of the agreement of 1 December 1934 relating to this Fund remain in force.

Any questions as to the impracticability of applying the shorter working week owing to lack of suitably qualified workers, or if the number of workers normally engaged on particular tasks in the undertaking does not permit of the application of the 40-hour week without changing the total number of hours normally worked by the group or section in question, or for technical or economic reasons, must be settled by the same procedure as that indicated above for overtime. The categories of workers whose hours cannot be reduced for technical or economic reasons will be determined by agreements between the competent National Federations.

When wages are paid weekly or for a period exceeding a week, or in cases in which daily hours of work are reduced and wages are paid by the day, they will be reduced in proportion to the reduction of hours of work.

(j) In Switzerland, the 48-hour week was established by the Federal Factory Act of 27 June 1919. Under section 41, the Federal Council is authorised to allow a working week of not more than 52 hours in certain industries, when there are imperative reasons for such a measure, and in particular when, as a result of the application of the 48-hour week, an industry might be unable to compete owing to the hours of work in other countries.

(k) At the time the 1935 edition of the Report on Principal Statutory Provisions Limiting Hours of Work in Industry was prepared, hours of labour in the United States were governed mainly by the Codes of Fair Competition adopted under the National Industrial Recovery Act of 1933. These Federal Codes superseded State Regulations wherever their provisions established higher standards than those provided in State legislation. They were nationwide in their application, and they included employments not covered in all of the State laws. In contrast to the legislation in the majority of the States, the Codes applied to adult men in private employment, as well as to women

and children. In general, they established¹ a maximum 8-hour day and a 40-hour week for industry throughout the United States. Sanction in the Schiechter case in May 1935 invalidated the N.R.A. Codes in so far as legal extent is concerned, the Codes have continued to influence in the United States. In some instances, as in the case of the Allied Cotton Garment Association, the labour provisions of the Codes have been maintained by voluntary action on the part of the industries. Officers of various branches of the textile industry, for example, recommended to their members the continuance of Code standards approximately 98 per cent. of the industries were operating in accordance with Code provisions. In other instances, although no formal arrangement has been made, the Code limitations upon hours have been observed.

Statutory limitation upon hours of labour in the United States is represented by the legislative enactments of the several States and of the Federal Government. The National Government has laws down maximum for hours of employment on public works and for certain classes of employees engaged in interstate commerce, such as railroad operating employees and telegraphists. The Federal Government, for example, has enacted legislation establishing an 8-hour day as a maximum for underground workers on leased mineral lands of the United States, a 16-hour maximum for telegraph operators and connected with the operation of trains in the District of Columbia or in interstate commerce; a 13-hour daily maximum for computing wages for railroad despatchers; an 8-hour day as a basic standard for computing wages for railroad operating employees, and has entered certain regulations affecting the hours of seamen. While there are no uniform hours of labor law for federal employees, certain standards have been fixed. In the departmental services in Washington, clerks and other employees are required to work not less than 7 hours per day, with 4 hours on Saturday constituting the 4½ day, the hours are 8 per day, with either a 5-day week or 4 hours on Saturday, according to regulation of the Public Printer or Comptroller of the General Services. Under the Public Works Title of the National Industrial Recovery Act there was provision for a 30-hour weekly limit for employees on public works,² but this provision does not apply to the Works Progress Projects being carried out under the Emergency Relief Appropriation Act of 1935, according to which the President has the power to prescribe rules and regulations to carry out these projects. These rules both as to hours and wages need not be uniform, but may be suited to locality and the project. The hours may not exceed 140 hours per month, or 8 hours per day.

Every State in the United States has legislation regulating to some extent the hours of labour of certain classes of employees in certain types of employment. The most general of these laws are the regulations limiting working time of minors. Next in general acceptance are the laws applying to adult women. Regulation of the working hours of men in the United States have been more subject to constitutional limitations, and such regulations as follows:³

¹ Laws declaring the policy of the State as to the number of hours that shall constitute a day's work in the absence of contractual agreement between

² All of the codes contained certain maximum hour limitations, usually with exceptions as to maintenance and repair crews, seasonal and peak periods, salesmen, executives and outside workers. The most common limitation was 40 hours per week, with an allowance of 48 hours per week during a limited peak period.

³ In continuously operated stations, so far as practicable and feasible, the maximum is 8 hours in 24 hours.

⁴ The wording in part on articles in United States Monthly Labor Review, 1 January 1935—legal restrictions on hours of labour of motor-bus drivers

the parties to the contract. As a rule, no penalty is provided in these laws. Fourteen States have such laws, nine¹ of which set a standard of 8 hours a day; and five² a standard of 10 hours.

2. Laws fixing a maximum number of hours for work in which men are mainly employed. These laws, as a rule, are not limited to men, but include women and minors also, unless they are otherwise provided for by law. The nature of the work covered, however, is in general such as to limit their application largely to men. These laws usually have penalty and enforcement provisions. They may be divided into several groups, as follows:

(a) Legislation limiting the hours of labour of workmen employed on public works.

In thirty-two³ States and territories the hours of labour on Government work are limited by statutory regulations. An 8-hour day is established as the maximum, with provision usually made for overtime in case of emergency affecting the public welfare.

(b) Legislation for the protection of the safety and health of the general public, as, for instance, Acts covering railroad and railway operating employees (including motor-bus drivers), seamen and drug clerks.

Thirty-two States⁴ have enacted laws limiting hours of labour of men employed as motor-bus drivers. In addition to these statutory laws, eleven⁵ States have, through some regulatory agency such as the public service or some similar commission, issued rules or orders having legal effect limiting the hours of work of such employees. In most cases the law or regulation prohibits the employment of an operator of a bus or other motor vehicle for more than a certain number of consecutive hours, or limits the maximum spread when the hours of labour are not continuous. Exception is usually provided for emergency cases in which life or property may be in imminent danger.

There are fifteen States⁶ with regulations of this nature applying to other classes of employees.

The limitation in these laws ranges from 8 hours to 16 hours as the maximum. Several States in the case of railway operating employees fix a maximum number of hours that may be worked within a given number of consecutive hours: as not more than 10 hours in a period of 12 hours. In other instances, the total hours that may be worked in 24 hours is specified: as not more than 14 hours in a period of 24 hours.

(c) Legislation limiting the hours of labour of employees in obviously dangerous or unhealthful employments; as in mines, smelters, tunnels, compressed-air work, and in certain types of mills, such as saw and planing mills, cement and plaster plants. There are twenty-one States and territories⁷ that regulate to some extent the hours of labour of men in work of this nature. With two exceptions,⁸ an 8-hour daily maximum is established.

¹ California, Illinois, Indiana, Kentucky, Missouri, New York, Ohio, South Dakota, Wisconsin.

² Florida, Maine, Michigan, New Hampshire and Rhode Island.

³ Alaska, Arizona, California, Colorado, Delaware, District of Columbia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Montana, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Puerto Rico, Texas, Utah, Washington, West Virginia, Wisconsin and Wyoming. Massachusetts, Idaho and Oregon, in addition establish a 48-hour weekly maximum. Nevada establishes a 56-hour weekly maximum.

⁴ Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Montana, Mississippi, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Rhode Island, South Dakota, Texas, Virginia, Washington, Wyoming.

⁵ Colorado, Idaho, Kansas, Missouri, Nevada, North Carolina, Oklahoma, South Carolina, Tennessee, Utah, and Wisconsin.

⁶ Alaska, Arizona, California, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Massachusetts, Michigan, Missouri, Montana, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, South Carolina, Washington, Wyoming.

⁷ Alaska, Arizona, California, Colorado, Idaho, Kansas, Louisiana, Maine, Michigan, Minnesota, Nevada, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Utah, Washington, Wyoming.

⁸ Alaska and Minnesota.

3 Laws fixing a maximum number of hours for all workers regardless of age or sex. There are seven States¹ with regulations of this nature. The employments covered vary in different States. They include laundries, canneries, cotton and woolen mills, and in some States mills, factories, workshops and manufacturing establishments. The limitation ranges from 8 to 11 hours a day. Most of the States set a 10 hour maximum. The constitutionality of such laws, in so far as they apply to adult men, has not been definitely established.

4 Laws fixing the maximum number of hours for women. With five exceptions² all of the States have regulations covering to some extent the hours of work of adult women in certain employments. The occupations covered and the hour limitations vary widely. In the different States, in general, the State laws applying to women include girls over 16 years of age except where special provisions apply to such minors between the ages of 16 and 18 years. One State³ has established a 48 hour week for women in certain employments. Eleven States set over 48 but under 54 hours, eighteen States set a weekly limit over 48 but under 54 hours, sixteen States have no weekly limit of hours, six of these permitting 60 hours a week, seven States allow 64 hours a week, and three States⁴ permit 68 hours a week. Daily hours range from 8 to 12 in States setting a daily limit. Statutory limitation on the hours of adult women has been upheld by the Courts as a measure in the interest of public welfare.

5 Laws fixing a maximum number of hours for certain minors. All⁵ of the States regulate to some extent the hours of labour of minors under 16 years of age in industry,⁶ or exclude minors below that age from employment in manufacturing establishments. The law⁷ of forty-four States⁸ regulates daily or weekly hours in some occupations for girls from 16 to 17 years of age. A few of these laws apply to minors of both sexes. In addition their scope than those for minors under 16 years are more comprehensive in their scope and private for adult women, permit fewer exceptions (usually farm labour and private domestic service), and frequently establish shorter daily or weekly maximum hours, or both.

These regulations are further supplemented by school attendance laws and night work restrictions. There are twenty-six States⁹ and the District of Columbia which have established a daily maximum of 8 hours for minors under 16 in all gainful occupations. Five States¹⁰ establish a 16 hour week for minors under 16 in industry.¹¹ The laws of 32 States¹² establish a 48 hour week for minors.

Laws fixing a maximum number of hours for certain public employees, such regulations are on the statutes of nine States¹³:

¹ Arizona Georgia Maryland Michigan Mississippi Oregon South Carolina Puerto Rico also has similar regulations.

² Alabama Florida Iowa Indiana West Virginia have no law regulating hours for women.

³ Oregon has an 8 hour day and 44 hour week for miners under 16 but prohibits the employment of such minors in industry. Georgia has a 60 hour week for minors under 16 in cotton and woolen mills only.

⁴ In a number of States the regulation is restricted to factories Colorado Colorado Delaware District of Columbia, Illinois Indiana Louisiana Arkansas Massachusetts Minnesota Missouri Nevada New Mexico, North Dakota Oklahoma Oregon Pennsylvania Tennessee Texas Utah Virginia.

⁵ Mississippi New Mexico New York California Colorado Delaware District of Columbia, Indiana Iowa Kansas Kentucky Louisiana Maryland North Dakota Ohio, Oklahoma, Wyoming (Illinois, Oregon, Tennessee, Vermont, Washington and Washington D. C. have an 8 hour day and a 6-day week, which results in a 48 hour week) Montana North Carolina North Dakota Oklahoma Nebraska Nevada New Jersey, Vermont, and (Montana) North Carolina.

7. In several States,¹ in addition to statutory provisions, the State Department which administers the labour laws has authority to issue regulations which have the force of law, and which carry a penalty for non-compliance.

As illustration of the State legislation, the hour laws of two States (Georgia and Massachusetts) are summarised below.

The Georgia law² applies to cotton and woollen manufacturing establishments, and covers men as well as women and children. It establishes, with certain exceptions, a maximum 60-hour week and 10-hour day for such employees. Exception is made in the case of engineers, firemen, watchmen, mechanics, teamsters, yard employees, clerical force, cleaners and repair men. Overtime is permitted as follows: Not more than 10 days are allowed to make up lost time, except by accident or other unavoidable circumstances. Employees are permitted to work regularly more than 10 hours a day provided weekly hours are not exceeded.

The Massachusetts law³ applies to women and minors. It prohibits the employment of such persons under 18 years of age in a broad list of occupations for more than 48 hours in any one week or more than 9 hours in any one day. The occupations covered are: factories, workshops, any manufacturing, mercantile or mechanical establishment, telegraph office or telephone exchange, express or transportation company, laundry, hotel, manicuring or hairdressing establishment, motion picture theatre, or as an elevator operator or a switchboard operator in a private exchange. Exception is made in the case of persons employed in supervisory capacity or serving exclusively as personal secretaries. Private domestic service and farm labour are expressly excluded from the law. It should be noted that mercantile establishments, which are covered by the law, include premises used for a restaurant or for publicly providing and serving meals. Overtime is permitted under certain conditions. In employments determined by the Department of Labor and Industries to be seasonal, 52 hours a week are allowed if the average for the year does not exceed 48 hours a week. In emergencies, overtime is allowed in public services, other than hotels, or other business requiring shifts. Overtime may also be permitted to make up time lost on a previous day of the same week, due to stoppage of machinery on which the worker is dependent, provided such stoppage is not less than 30 consecutive minutes.

In addition to this general law, Massachusetts has special laws regulating hours for minors under 16 years of age, for employees on public works and for certain classes of public employees, also for street railway operating employees and motor-bus operators.

(l) In the *U.S.S.R.*, the manifesto of 15 October 1927, supplemented by the Order of 2 January 1929, introduced the 7-hour day in principle in industry. According to the nature of the work or the activities of the undertaking the week comprises five or six days. In industrial undertakings working continuously, transport and the municipal services, the week of five days is in force, each worker being entitled to one day's rest after four days' work. For undertakings working in only one or two shifts, and for State departments and institutions, there is a six-day week, consisting of five working days followed by a common rest day. The State departments, however, have to provide a skeleton staff on rest days, and the officials on duty are given another day's rest in exchange.

¹ Arkansas, California, Kansas, North Dakota, Oregon, Pennsylvania, Wisconsin, have issued regulations regarding hours of labour under such authority.

² Georgia Code (Michie), 1926, p. 807, sec. 3137.

³ Massachusetts General Laws, 1932, section 1; Session Laws, 1935, Chapter 200.

(1) EXCEPTIONS FOR UNSPECIFIED REASONS

Country and date of legislation	Conditions attached to the granting of the exception	Maximum duration		Increased rate of remuneration
		of the prolongation	of the daily or weekly working hours	
AUSTRALIA: New South Wales A. 23.12.30.	By award or agreement.	—	—	To be fixed by the Court or the board or by agreement. 50 to 100 %.
	By award or agreement.	—	—	25 %.
	Possibility of overtime.	—	—	25 % for the first 2 hours, 50 % thereafter and on public holidays.
	In exceptional circumstances. A. 13.1.11.	2 hours a day on 52 days a year (women and young persons).	—	100 %.
WESTERN AUSTRALIA A. 31.12.20.	In special circumstances.	—	—	100 %.
	—	—	10 hours a day, 60 hours a week.	To be fixed by agree- ment.
BOLIVIA A. 21.11.24. D. 16.3.25. (salaried employees).	By agreement, collective or other- wise.	—	—	50 %.
	By agreement, collective or other- wise.	—	—	The total daily hours shall not exceed 15, subject to proof that the health of the workers does not suffer thereby.
CHILE L. D. 13.5.31.	In undertakings in which the nature of the work does not prejudice the health of the employees and in special cases laid down by the competent labour inspection office.	2 hours a day.	—	25 % for the first 3 hours; minimum of 50 % for sub- sequent hours worked.
	Possibility of overtime.	—	—	50 %.
COSTA RICA D. 16.8.20.	—	—	—	50 %.
	By agreement in writing. A. 6.10.28.	2 hours a day; 12 hours a week.	—	100 % for over- time between midnight and 6 a.m. and on Sundays.

ESTONIA A. 10.7.31.	By agreement in case of need. In exceptional cases where required in the interests of the industry.	2 hours a week 75 hours a year. An additional 100 hours a year.	—	50 %.
FINLAND A. 27.11.17; A. 14.8.18.	In special circumstances or consent of the workers, subject to the rules of the industry.	26 hours in 2 weeks or 48 hours in 4 weeks according to industry. An additional 150 hours a year.	—	50 % for the first two hours; 100 % for subsequent hours.
GERMANY O. 26.7.34.	If an extension of normal working hours is provided for by collective agreements at the choice of the employer.	—	10 hours a day.	25 %.
HAITI A. 10.8.34. A. 5.9.34.	Possibility of overtime.	2 hours a day for 30 days.	—	Do.
JAPAN A. 20.3.23. (Women and young persons)	In exceptional emergencies resulting from unavoidable circumstances.	—	—	—
LATVIA A. 24.3.22.	In cases of temporary emergency.	On 4 consecutive days or without in one month at most for a specified period, or the sanction of the administrative authorities.	—	—
LITHUANIA A. 30.11.19.	By agreement between employers and workers.	Maximum of 2 hours a day on not more than 7 days a month.	—	—
MEXICO A. 16.8.31.	In exceptional and urgent cases.	2 hours a day.	—	—
	In special circumstances.	3 hours a day, three times a week	—	100 %.

(4) EXCEPTIONS FOR UNSPECIFIED REASONS (*concluded*)

Country and date of legislation	Conditions attached to the granting of the exception	Maximum duration of the prolongation	Increased rate of remuneration or the daily or weekly working hours
NETHERLANDS D. 17.9.30.	If an undertaking is faced with exceptional circumstances.	— —	11 hours a day; 62 hours a week.
NEW ZEALAND A. 6.2.22.	Possibility of overtime subject to certain restrictions as regards women and young persons.	— —	25 %.
POLAND N. 25.10.33.	In cases of proved urgent necessity.	4 hours a day; 120 hours a year.	25 % for the first 2 hours; 50 % for subsequent hours and overtime at night and on Sundays and public holidays.
FPORTUGAL L. D. 24.8.34.	In cases of proved necessity if social and economic conditions allow.	— —	50 %.
SALVADOR A. 13.6.28.	In special cases and by agreement between employers and workers.	— —	Additional remuneration.
SOUTH AFRICA A. 8.5.18; A. 5.6.31.	By agreement between the parties concerned, subject to certain restric- tions with regard to women and young persons.	— —	25 %.
SPAIN D. 1.7.31.	By agreement in order to deal with cases of emergency.	50 hours a month, and 120 hours a year.	25 %. For time worked in excess of 10 hours a day and for overtime worked at night or on Sunday, 40 %. 50 % for women subject to a maximum of 10 hours work per day.
	In undisputed cases of special necessity.	50 hours a month, and 240 hours a year.	—

SWEDEN A 165 "2	The Labour Council may authorise an exception if it can be shown by the statements made by one or more workers' associations or in any other way that the great majority of the workers affected regard it as desirable provided hours of work are not exceeded unreasonably In special circumstances In urgent cases	13 hours a year 1 month An additional 150 hours	200 hours a year 1 month 200 hours a year An additional 150 hours	25 % 25 % 25 %
SWITZERLAND A 274 "1, Flecken-Town A 24 "0	In case of duly proved necessity In exceptional cases Without official authorisation With official authorisation	2 hours a day (except in urgent cases) on 80 days a year 1 hour a day and 24 hours a year 1 hour a day and 100 hours a year 60 hours for women	1 hour a day and 24 hours a year 1 hour a day and 100 hours a year 60 hours for women	25 % 25 %
GERMANY A 65 "1 as amended by A 35 "2	In case of necessity Authorisation by Communal Council Authorisation by Executive Council	4 hours a week for 5 weeks a year 6 hours a week for 20 weeks a year	5 hours a week for 20 weeks a year	—
YUGOSLAVIA A 297 "2	If the workers in an undertaking agree to take by secret ballot subject to 4 of the workers voting in favour	2 hours a day during 3 months a year (renewable) 1 hour a day in mines	50 %	—

(2) EXCEPTIONS FOR SPECIFIED REASONS

(a) Permanent Exceptions

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
ARGENTINA A. 12.9.29. D. 11.3.30.	Preparatory or complementary work. Intermittent work.	— —	To be fixed by regulations after consultation with the organisations concerned.	— —	50 %. 100 % on Sundays and public holidays.
AUSTRALIA: Western Australia A. 31.12.20.	Preparatory or complementary work.	Work in connection with getting up steam for machinery; or with making preparations for the work in the factory.	—	—	—
Tasmania A. 13.1.11.	Seasonal Industries. Preparatory or complementary work.	Fruit canning, fruit drying and jam factories. Work in connection with getting up steam for machinery or with making preparations for the work in the factory.	2 hours a day on 52 days a year (women and young persons). —	— —	50 %. 25 %.
AUSTRIA A. 17.12.19. A. 16.5.33.	Preparatory or complementary work. Intermittent work.	Additional work to be performed before or after the ordinary work of the undertaking, e.g. cleaning, heating, etc. Porters, night watchmen, fire watchmen, persons employed in watching buildings and premises. Coachmen, drivers, chauffeurs and all persons engaged in controlling and attending the means of transport.	16 hours over a period of 2 weeks. 60 days a year.	— 10 hours a day 60 hours a week.	25 %. 25 %.
	Seasonal Industries.	Industries subject to seasonal influences. For rural artisans' workshops (with not more than 3 assistants) during ploughing and harvest.	—	—	Hours of work in excess of 54 a week are paid for as overtime.

BELGIUM A. 14.6.24.	Preparatory or complementary work. Intermittent work.	Work which must be performed outside the ordinary working hours of the undertaking.	2 hours a day.	—	12 hours a day for persons living at their place of work. 10 hours a day for others.	—	25 % for the first two hours; 50 % for subsequent hours; 100 % on Sundays. D.O.
CANADA; Dominion A. 5.7.35.	Preparatory or complementary work. Intermittent work. Seasonal industries.	—	To be fixed by the Governor in Council by regulations.	—	—	—	25 %.
CHILE D. 13.5.31.	Intermittent work.	Night watchmen, railway gangers, etc.	—	—	12 hours a day with a rest period of not less than 1 hour.	—	—
COLOMBIA D. 25.4.34.	Preparatory or complementary work. Intermittent work.	Work which must necessarily be carried on outside the limits laid down for the general working of the undertaking.—	To be determined by the General Labour Office after consultation with the organisations concerned.	—	—	—	25 %.
CZECHOSLOVAKIA A. 19.12.18.	Preparatory or complementary work. Intermittent work.	Subsidiary operations necessarily preceding or following ordinary work, such as heating boilers, cleaning premises, handing over work to the next shift when continuous work is necessary. Work of supervision and watching.	—	—	12 hours a day.	—	Additional remuneration.
DENMARK A. 12.2.19 (continuous processes).	Seasonal industries	In seasonal undertakings, or groups of such undertakings, in which work is continuous during not more than 4 months in the year.	—	—	—	Fixed by the Minister of the Interior.	—

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(a) Permanent Exceptions (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
ESTONIA A. 10.7.31.	Preparatory or complementary work.	Work of engineers, stokers; workers employed in the maintenance of machinery, the supply of water and light and the cleaning of the premises in undertakings, if the general work of the undertaking depends thereon.	—	—	50 %.
FINLAND A. 27.11.17. A. 14.8.18.	Seasonal Industries.	If, owing to the season, it is impossible to enforce the Act in practice.	Fixed by resolution of the Senate, valid in each case for 1 year at most.	—	—
FRANCE ¹ A. 23.4.19.	Preparatory or complementary work. Intermittent work.	Work which must necessarily be performed outside the ordinary hours of work of the undertaking. Watchmen, chauffeurs, caretakers, carters, storemen; the fire brigade, postmen, etc.	1 to 2 hours a day. 1 to 4 hours a day.	— —	—
GERMANY O. 26.7.34.	Preparatory or complementary work.	Cleaning and maintenance work if necessary for the satisfactory working of the undertaking; work on which, for technical reasons, the resumption or maintenance of the working of the undertaking depends; preparatory and complementary work for which it is impossible to substitute other workers in the undertaking for the worker concerned and for which the employer cannot be expected to engage workers outside the establishment. Work which usually and largely involves mere attendance.	2 hours a day.	— —	25 %.
	Intermittent work.				Fixed by collective rules or by the Minister of Labour or by the Labour Trustee.

GREECE D 27 8 32	Preparatory or complementary work	Engineering	1 hour a day	—	—	—	25 %
GUATEMALA D 30 4 79	Preparatory or complementary work	Work which is not necessarily carried on outside the normal hours of work of the undertaking	To be fixed by regulations issued by the Ministry of Development in consultation with the National Labour Department which shall in turn procure the opinion of the parties concerned	—	—	—	—
INDIA A 20 8 34	Intermittent work	—	To be fixed by regulations made by the Local Government	—	—	—	—
ITALY A 15 3 "1	Preparatory or complementary work Intermittent work	Work which must be performed outside the ordinary working hours of the undertaking	10 hours ¹ to 60 hours a week for a specified period, excluding vacation, plus one day by agreement	—	—	—	—
JAPAN A 29 3 23 (women and young persons)	Seasonal Industries	Discontinuous work, or work involving mere attendance or supervision	1 hour a day on 120 days a year at the most	—	—	—	—
LITHUANIA A 30 11 19 as amended 1925 and 1931	Preparatory or complementary work Intermittent work	Special pressure of work	—	—	—	—	—
		Accessory work on which the regular working of the undertaking depends	—	—	—	—	—

¹ The amount of overtime is determined for each industry by the corresponding public administrative regulations

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(a) Permanent Exceptions (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
LUXEMBURG O. 30.3.32.	Preparatory or comple- mentary work. Intermittent work.	Work which must necessarily be carried on outside the normal working hours of the undertaking. —	To be determined by Ministerial Or- der. Do.	— —	— —
NETHERLANDS D. 17.9.30.	Preparatory or comple- mentary work.	To prepare workrooms, material, tools, power plant, appliances, fur- naces, boilers or transmission ap- paratus for the general work of the undertaking before it begins, or to attend to, repair or install them before the general work of the undertaking begins, or after it ends, or during breaks. Work consisting wholly or main- ly of supervision.	—	12 hours a day; 72 hours a week.	—
NEW ZEALAND A. 6.2.22.	Seasonal industries.	Fruit canning and jam factories.	3 hours a day (wo- men and young per- sons).	12 hours a day; 72 hours a week.	25 %.
NORWAY A. 11.7.19.	Preparatory or comple- mentary work.	Work which must be performed before and after normal working hours to ensure the satisfactory working of the undertaking.	10 hours a week (15 for individual workers); 30 hours in 4 consecutive weeks.	—	—
POLAND N. 25.10.33.	Preparatory or comple- mentary work.	Work preceding or following productive work.	To be determined for each category by regulations issued by the competent au- thority.	—	—

¹ The law provides for an extension of working hours by two a day on 30 days, as it was necessary, particularly in seasonal industries.

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(a) Permanent Exceptions (concluded)

Country and date of registration	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
U.S.S.R. O. 9.11.22.	Seasonal industries.	Work in branches of economic activity which are of a seasonal character.	Authorisation by the People's Commissariat of Labour to exceed the limit of 120 hours a year.	—	50 % for the first two hours; 100 % for subsequent hours and on rest days and public holidays.
YUGOSLAVIA A. 28.2.22.	Preparatory or complementary work.	Operations that must be carried out in every undertaking in order that work may begin and end at the fixed hours (cleaning of workshops, cleaning and maintenance of machinery). For undertakings in which work is confined to particular seasons of the year, and which are exposed to the influence of the weather.	2 hours a day.	—	50 %.

(b) Temporary Exceptions

ARGENTINA A. 12.9.29. D. 11.3.30.	Accidents, actual or threatened; urgent repairs to machinery, tools or plant.	Urgent work to be done to the machinery, tools or plant.	Only in so far as may be necessary to avoid serious interference with the ordinary working of the undertaking and provided that the work in question cannot be carried out during the normal working day.
	In cases of force majeure.	—	—

	In cases of exceptional pressure of work For reasons connected with the public or national interest	War or other emergency endangering public safety	—	—	—	—	50% Sundays and public holidays	100% on Sundays and public holidays
AUSTRALIA	South Australia Industrial Code of 1930 as amended (Women and young persons) A 13 11	In cases of exceptional pressure of work In cases of exceptional pressure of work In cases of exceptional pressure of work In cases of exceptional pressure of work	—	100 hours a year	55 hours a week	55 hours a week	25%	25%
	Tasmania A 12 29 (Women and young persons) Western Australia A 31 12 20	—	200 hours a year (women and young persons) 8 weeks	55 hours a week	55 hours a week	50% 57 hours a week	50%	50%
		—	2 hours a day on 5 days a year (two men and young persons)	—	—	—	—	—
AUSTRIA	South Australia Industrial Code of 1930 as amended (Women and young persons) A 13 11	Unforeseen Interruptions which do not recur periodically	—	—	—	—	25%	25%
	Tasmania A 12 29 (Women and young persons) Western Australia A 31 12 20	Accidents actual or threatened urgent repairs to machinery or plant In cases of exceptional pressure of work To avoid serious interference with the working of the undertaking	—	30 days a year	10 hours a day	—	25%	25%
		For certain classes of undertakings account being taken of their special nature and in particular for rural industries	—	—	—	—	—	—
BELGIUM	South Australia Industrial Code of 1930 as amended (Women and young persons) A 13 11	To cope with an accident actual or threatened urgent repair of machinery or plant To prevent deterioration of perishable raw materials Technical reasons In cases of force majeure	—	—	—	—	25% for the first 2 hours 50% for subsequent hours	25% for the first 2 hours 50% for subsequent hours
	Tasmania A 12 29 (Women and young persons) Western Australia A 31 12 20	In cases of force majeure or unforeseen necessity to prevent serious interference with the normal working of the undertaking In cases of pressure of work due to unforeseen circumstances	—	—	—	—	Do	Do
		In cases of force majeure	—	—	—	—	Do	Do
		In cases of pressure of work due to unforeseen circumstances	—	—	—	—	Do	Do

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)(b) *Temporary Exceptions* (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
BRAZIL D. 4.5.32.	Accidents, actual or threatened; urgent repairs to machinery or plant. To prevent deterioration of perishable raw materials. Technical reasons. In cases of <i>force majeure</i> .	In the event of a compulsory interruption of work due to accidental causes. Work necessary to prevent the deterioration of raw materials or articles in course of manufacture. Work necessary to avoid endangering the technical results of work already begun. In the event of a compulsory interruption of work due to <i>force majeure</i> .	2 hours a day during the time strictly necessary. — — — —	— 12 hours a day. 12 hours a day. — —	To be fixed by agreement. Do. — —
BULGARIA O. 2.8.19.	Accidents, actual or threatened; urgent repairs to machinery or plant.	In exceptional or unforeseeable circumstances; fire, explosion, breaking of machinery.	— —	— —	— —
CANADA, DOMINION OF A. 5.7.35.	Accidents, actual or threatened; urgent repairs to machinery or plant. In cases of <i>force majeure</i> . In cases of exceptional pressure of work.	— — —	Time strictly necessary. Do. To be fixed by the Governor in Council.	— — —	— — 25 %.
CHILE D. 13.5.31.	Accidents, actual or threatened; urgent repairs to machinery or plant. In cases of <i>force majeure</i> .	— —	Time strictly necessary. Do.	— —	— —

CZECHOSLOVAKIA A 191218		In cases of exceptional pressure of work	In order that undertakings may deal with exceptional cases of pressure of work	75 %	
Accidents actual or threatened urgent repairs to machinery or plant	For reasons connected with the public or national interest	In the case of natural events or accidents For repair work if life health or the public interest is at stake If increased production is necessary in the public interest or for other important reasons	To be fixed by regulations after consultation of the organizations concerned	Additional remuneration	
Accidents actual or threatened urgent repairs to machinery or plant	Technical reasons In cases of force majeure	For necessary alterations or repairs For carrying out specified work For work which must be carried on continuously in cases of illness	2 hours a day during from 4 to 16 weeks Time strictly necessary hours a day during from 4 to 16 weeks	Do Do	
Accidents actual or threatened urgent repairs to machinery or plant	In cases of force majeure	—	—	—	
DENMARK A 12219 (Continuous processes)	Accidents actual or threatened urgent repairs to machinery or plant	—	Time strictly necessary to avoid serious interference with the work of the undertaking	10 hours a day 58 hours a week	Normal wage for 2 hours in excess of normal working hours or a corresponding reduction in working hours on the following days at the office of the Workers
DOMINICAN REPUBLIC A 21035	Accidents actual or threatened urgent repairs to machinery or plant To prevent deterioration of perishable raw materials In cases of force majeure For reasons connected with the public or national interest	— — — —	Do Do	Time strictly necessary	To be determined by the President of the Republic Do
EQUADOR A 01028	Accidents actual or threatened urgent repairs to machinery or plant In cases of force majeure Economic reasons	Work necessary to avoid an impending accident Work necessary to avoid serious injury to the undertaking or in general in any fortuitous circumstances which must be dealt with immediately In the event of under-production rendering imminent a serious economic crisis In the event of internal disturbance internal war or natural events endangering national safety	Time strictly necessary	Time strictly necessary	— — — — —

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(b) *Temporary Exceptions* (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
ESTONIA A. 10.7.31.	Accidents, actual or threatened; urgent repairs to machinery or plant. To prevent deterioration of perishable raw materials. Technical reasons. In cases of <i>force majeure</i> .	Work necessary for the prevention of accidents; repairing and refitting of machinery. If an interruption of the work would entail the deterioration of raw materials. Testing of repaired or new machines and industrial equipment. Work necessary in the raising and lowering of vessels in docks; in the loading and unloading of vessels and railway wagons, and in the repairing of vessels, if overtime is worked in order to prevent interruptions of traffic or exceptional damage.	— — — —	— — — —	50 %. 50 %. 50 %. 50 %.
FINLAND A. 27.1.17. A. 14.8.18.	Accidents, actual or threatened; urgent repairs to machinery or plant. Technical reasons. In cases of <i>force majeure</i> .	Work in the case of natural events, accidents or other dangers. If, owing to the technical conditions of the work, it is impossible to enforce the Act in practice. If an interruption of the work may damage property, manufactured products or raw materials.	4 weeks. 4 weeks.	— —	To be fixed by resolution of the Senate, valid in each case for 1 year. 50 % for the first 2 hours; 100 % for subsequent hours.
FRANCE A. 23.4.19.	Accidents, actual or threatened; urgent repairs to machinery or plant.	Work to prevent impending accidents; for savage purposes, or to repair injuries to the machinery or plant or building of the undertaking.	Unlimited extension on any one day at the choice of the employer; on subsequent days not more than 2 hours beyond the limits fixed for the ordinary work of the undertaking.	— —	—

		See the Public administrative regulations for each industry. No.	In accordance with local custom.
To prevent deterioration of perishable raw materials Technical reasons In cases of exceptional pressure of work.	Urgent work with which the undertaking has to deal (exceptional nature of work). Work performed in the interests of a public service or in the interests of national safety or defence under an order from the Government certifying the need for the exception.	60 to 150 hours a year ¹ .	Limits to be fixed by the competent Ministers.
For reasons connected with the public or national interest.	Interruptions of work due to natural causes, accidents, or other inevitable disturbances.	—	10 hours a day (except urgent cases).
GERMANY O, 26.7.34.	Temporary work undertaken in emergencies or in exceptional circumstances independent of the control of the parties, and which cannot be dealt with in any other way, in particular to preserve raw materials or foodstuffs, or prevent deterioration of the products. Work on which on certain days only a small number of workers over 16 years of age are employed, and which, if not carried out, would compromise the success of the operations, and for which the employer cannot be required to make other arrangements.	—	25 %.
Technical reasons	To prevent deterioration of perishable raw materials.	—	—
In cases of force majeure	Work of loading and unloading ships in ports, loading, unloading and shunting, railway trucks, if overtime is worked in order to prevent congestion of traffic or the non-observance of the time-limit laid down.	2 hours a day.	—
For economic reasons	For general economic reasons, unless working hours are prescribed by collective rules.	—	10 hours a day.
For reasons connected with the public or national interest.	Urgent reasons of public interest	—	More than 10 hours a day for a specified period 25 %

¹ Authorisation to make use of such overtime has been provisionally suspended in the great majority of industries.

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(b) *Temporary Exceptions* (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
GREECE D. 27.6.32.	Accidents, actual or threatened; urgent repairs to machinery or plant.	Urgent work which must be carried out in order to prevent pending accidents, for salvage purposes, or to repair accidental injuries to the plant, equipment or buildings of the undertaking.	Unlimited extension on the first day; on the following days subject to a permit, provided the extension shall not be more than 2 hours in excess of the ordinary hours of work and shall not continue for longer than is necessary to avoid serious interference with the normal working of the undertaking.	—	25%.
	In cases of <i>force majeure</i> .	Do.	—	—	25%.
	In cases of exceptional pressure of work.	In cases of proved exceptional accumulation of work.	2 hours a day except Saturdays, on 60 days in the year. More than 2 hours a day on eves of holidays, provided that the total hours of work in excess of the 8-hour day do not exceed 120 hours in the year.	—	25%.
GUATEMALA D. 30.4.26.	Accidents, actual or threatened; urgent repairs to machinery or plant. In cases of exceptional pressure of work. For reasons connected with the public or national interest.	Necessities of a national character.	To be fixed by regulations. Do. Do.	— — —	— — —

INDIA A 20 8.34	Accidents, actual or threatened; urgent repairs to machinery or plant Technical reasons. In cases of exceptional pressure of work.	The exceptions to be fixed by rules issued by the Local Government. Do. 2 months.	For all work in excess of 60 hours a day or 60 hours a week, 50% In factories other than seasonal factories, overtime is paid for at 25% above ordinary rates	—	—	—	—
ITALY A. 15 3.23.	Accidents, actual or threatened; urgent repairs to machinery and plant Technical reasons.	Repair of equipment which cannot be done during the normal working hours without interfering with the working of the undertaking or causing danger to the workers —	10 hours a day; 60 hours a week during a specified period; Prolongation permissible by agreement.	—	—	—	—
	In cases of force majeure For 7 reasons connected with the public or national interest	If the stopping of the work at the normal hour would entail risk or damage to human beings or production In certain industries for reasons of Public interest	Limits to be fixed by the Minister of National Economy.	—	—	—	—
	Accidents, actual or threatened; urgent repairs to machinery or plant To prevent deterioration of perishable raw materials In cases of force majeure	In the event of actual or impending disaster "To prevent the loss of raw materials or substances liable to decompose or deteriorate rapidly In emergencies resulting from a natural calamity.	Exception allowed only in respect of specified processes and districts Without authorisation 4 consecutive days or 7 days in one month Exception allowed only in respect of specified processes and districts	—	—	—	—
JAPAN A 29.3 23 (Women and young persons)							

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(b) *Temporary Exceptions* (continued)

LUXEMBURG O. 30.3.2.	Accidents, actual or threatened, urgent repairs to machinery or plant. In cases of force majeure; pressure of work.	— — —	Time strictly necessary, Dn., —	— — —	— — —
MEXICO A. 18.8.31.	Accidents, actual or threatened, urgent repairs to machinery or plant.	In the event of a catastrophe or imminent danger threatening the lives of workers or employers, or the very existence of the undertaking.	— —	— —	— —
NETHERLANDS D. 17.9.30.	In cases of exceptional pressure of work.	— —	— —	11 hours; 4½ hours a week.	— —
NORWAY A. 11.7.19.	Accidents, actual or threatened, urgent repairs to machinery or plant. To prevent deterioration of perishable raw materials. In cases of force majeure.	When unforeseen events interfere or threaten to interfere with the regular working of the undertaking. To prevent injury to raw materials or manufactured articles. When the unforeseen absence of certain workers interferes with the need to interfere with the regular working of the undertaking.	10 hours a week (15 for industrial workers), 20 hours in 6 weeks. Dn.	— — —	— — —
POLAND N. 25.10.33.	Accidents, actual or threatened, urgent repairs to machinery or plant. For reasons connected with the public or national interest.	If required in the general interest	Dn. Dn.	— —	— —
		In the event of actual or imminent disaster or accidents necessitating the replacement of hours in order to maintain the safety of the workers, to ensure the undertake against damage and to keep up its normal working hours as well as to prevent loss of materials or destruction of machinery.	— —	12 hours; a day, except in the case of salvaging work.	22½ for the first 2 hours, 20% for subsequent hours, and for overtime at night and on Sundays and public holidays.
		In cases of exceptional pressure of work.	—	—	—

¹ Cf. p. 118, Poland In cases of proved urgent necessity.

(2) EXCEPTIONS FOR SPECIFIED REASONS (*continued*)

(b) *Temporary Exceptions* (*continued*)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
POLAND (cont.)	Economic reasons. For reasons connected with the public or national interest.	In cases of economic necessity. In cases of national necessity.	For specified peri- ods; maximum one year. Do.	— —	25 % for the first 2 hours; 50 % for sub- sequent hours, and for overtime at night and on Sundays and public holidays.
PORTUGAL L.D. 24.8.34.	Accidents, actual or threatened; urgent repairs to machinery or plant. For reasons connected with the public or national interest.	In the event of serious accidents, to avoid grievous damage. In exceptional circumstances if required in the public interest.	— —	— —	50 %. 50 %.
RUMANIA A. 9.4.28. D. 30.1.29. A. 10.10.32.	Accidents, actual or threatened; urgent repairs to machinery or plant. In cases of <i>force majeure</i> . In cases of exceptional pressure of work.	Urgent work which is absolutely necessary to prevent an accident, or if an accident has occurred, to repair the damage caused and put the undertaking in a normal state of operation; urgent repairs to machinery. To avoid serious interference with the normal operation of the undertaking.	To apply only to staff strictly neces- sary. — —	— — 3 months in the year.	— — 9 hours a day. 25 %.
SPAIN D. 1.7.31.	Accidents, actual or threatened; urgent repairs to machinery or plant.	Work necessary to avert serious and imminent danger, or to remedy an accident which has occurred.	—	10 hours a day (women).	25 %; time worked in excess of 10 hours; 40 %, and for over- time at night and on Sundays. Women: 50 %.

(2) EXCEPTIONS FOR SPECIFIED REASONS (concluded)

(b). *Temporary Exceptions* (concluded)

Country and date of legislation	Reasons for the exception	Nature of the exception	Maximum duration		Increased rate of remuneration
			of the prolongation	of the daily or weekly working hours	
U.S.S.R. O. 9.11.22.	Accidents actual or threatened; urgent repairs to machinery or plant. Technical reasons. For reasons connected with the public or national interest.	Temporary repairs and adjustment of machinery and apparatus if the defect entails the interruption of the work of a large number of workers. To complete work already begun and which it has proved impossible for technical reasons to finish during the normal hours of work, if the suspension of the work which has been begun would entail any damage to raw materials or machinery. For the prevention of crises and dangers threatening the public welfare; performance of absolutely necessary work in the public interest. In connection with the water supply, lighting, drainage, communications and the postal, telegraph and telephone services, to remedy any incidental or unforeseen derangements of their working; for the performance of work absolutely necessary for the protection of the Republic.	Included total of 120 hours in the year; $\frac{1}{4}$ hours within 2 consecutive days. Do. Do. Do.	— — — —	50 % for the first 2 hours; 100 % for subsequent hours and on rest days and public holidays. Do.
YUGOSLAVIA A. 28.2.22	To prevent deterioration of perishable raw materials. In cases of force majeure. In cases of exceptional pressure of work.	In cases of absolute necessity to prevent the loss of raw materials. In cases of force majeure or emergencies for the purpose of remedying any disturbance in the normal working of the undertaking. If pressure of work in an industry makes prolongation absolutely necessary.	2 hours a day on 35 days a year. — — —	50 %. — — —	2 hours a day for 4 weeks (renewable 3 times a year for 4 weeks each time).

PART II

BASIS FOR A SINGLE AND FINAL DISCUSSION

This part of the Report is designed to enable the Conference, if it should so decide, to proceed at its Twentieth Session to the immediate adoption of international regulations for the reduction of hours of work in the textile industry. It therefore gives the text of a proposed Draft Convention submitted by the Office for the consideration of the Conference, together with a commentary explaining the suggested provisions article by article.

In the preparation of its proposals the Office has not, of course, had the benefit of the replies of Governments to a Questionnaire on the subject, and has therefore not had the customary basis on which to frame its proposals. On the other hand, the Office has been able to supplement the documentary information already at its disposal, which has been summarised in the first part of this Report, by obtaining information on the technical problems involved in the regulation of hours of work in this industry, and in particular by means of consultations with experts.

The Governing Body of the Office at its Session in October 1935 authorised the Director to invite the assistance of a number of technical experts with a view to ensuring that the Office would be able to base its proposals on as full a knowledge as possible of the technique of the industry. Invitations to consultations for this purpose were accepted by the Governments of Belgium, Czechoslovakia, France, Japan, Italy, Poland, Spain and the United States of America, by the International Federation of Textile Workers' Associations and the International Federation of Christian Trade Unions in the Textile Industry, and by the organisations of employers and workers in the Italian textile industry.

It will, of course, be understood that these consultations were of a strictly technical and factual character. The experts consulted were not called upon to express any opinion as to the desirability of limiting hours of work in the textile industry, or as to the wisdom

or appropriateness of any particular provision for the regulation of hours of work. Such questions of policy are, of course, for the Governments, employers' and workers' organisations of the various countries to decide and to express through their delegates at the Conference, and their decisions could not be in any way prejudiced by a prior consultation of experts. Nor could any information furnished by the experts consulted be regarded as committing them, whether as individuals or as representatives, either in support of or in opposition to the proposals subsequently formulated by the Office. The full responsibility for the proposals now submitted to the consideration of the Conference rests, as of course it must do, with the Office.

Nevertheless, the fact that the Office has thus been able to utilise not merely documentary material such as the texts of existing laws, regulations and collective agreements, but also information obtained from persons in first-hand contact with the industry may be considered as affording a reasonable guarantee that in the preparation of its proposals the Office has been in a position, so far as the time available permitted, to take due account of the technical requirements of the industry. Consequently, while the consultation of experts is different in character from, and does not take the place of, consultation of Governments by Questionnaire in accordance with the usual double-discussion procedure, the Conference may feel that the proposals it has before it have been sufficiently well prepared to enable it to take an immediate decision.

Commentary upon the proposed Draft Convention for the Reduction of Hours of Work in the Textile Industry¹

SCOPE OF THE DRAFT CONVENTION

Article 1

1. This Convention applies to persons employed in textile works or in any branch thereof.

2. A works shall be considered a textile works if it is engaged wholly or mainly in any one or more of the series of operations delimited in paragraphs 3, 4 and 5 of this Article in the course of the production of any kind of thread, yarn, twine, cord, rope, netting or felt, or any woven, knitted or lacework fabric, from any one or more of the following materials: cotton, wool, silk, flax, hemp, jute, artificial silk or any other synthetic fibre, or any other textile material whether of vegetable, animal or mineral origin.

¹ The complete text of the proposed Draft Convention submitted by the Office will be found at the end of the Report.

3 The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works begins

- (a) in the case of cotton, with the reception of the bales of ginned cotton for breaking up and cleaning,
- (b) in the case of wool, with the reception of the raw wool for sorting and cleaning (excluding the process of anthrax disinfection),
- (c) in the case of silk, with the reeling of the silk from the cocoon
- (d) in the case of flax and hemp, with the operation of retting, except where this operation is effected as work accessory to an agricultural undertaking,
- (e) in the case of artificial silk or other synthetic fibre with the process immediately succeeding the chemical production of the thread,
- (f) in the case of rags, with the sorting of the rags, and
- (g) in the case of any other textile material, with the operation prescribed by the competent authority as corresponding to the operations set out above

4 The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works ends with the packing and despatch from the works of the products specified in paragraph 2 of this Article

5 The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works includes the making in whole or in part of any garment or other article only in the following cases

- (a) the case of hosiery manufacture, and
- (b) cases in which the garment or other article is made by the same process as the fabric thereof

6 This Convention applies to persons employed in textile branches of non textile works if the branch in which they are employed

- (a) is distinct from the rest of the works as regards staff and premises, and
- (b) is engaged wholly or mainly upon one or more of the operations delimited in paragraphs 3, 4 and 5 of this Article

7 This Convention does not apply to persons employed in textile works in branches engaged upon the chemical production of artificial silk or other synthetic fibre

8 The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the line of demarcation that separates works or branches thereof covered by this Convention from works or branches engaged in related industries or operations

Textile Works

The item placed on the Agenda of the Conference by the Governing Body is The reduction of hours of work in the textile industry , and the first question that arises is what exactly is the textile industry From the course of the discussion in the Governing Body it is clear that the words were intended to be taken in the widest practicable sense, so as not to be limited to

the utilisation of the more usual textile fibres such as cotton and wool, nor to the production of simple yarn or woven goods, but to extend to the utilisation of all textile fibres, and to lace and hosiery as well as to spinning and weaving.

A definition of the textile industry for the purposes of international regulations must of course be framed so as to take account not so much of purely scientific or technical criteria as of the actual organisation of the industry. It has also to be borne in mind that the Forty-Hour Week Convention adopted by the Conference in 1935 contemplates the framing of a series of Conventions covering the whole field of employment, so that before deciding that a certain form of employment cannot appropriately be dealt with as a part of a particular industry consideration must be given to the question of whether there is any other industry, and consequently any other Convention, with which that form of employment could be more appropriately connected.

There would not seem to be any doubt that the textile industry in the sense intended by the wording of the item on the Agenda of the Conference could be described with substantial accuracy by a formula such as the manufacture of any kind of thread or yarn or woven, knitted or lace-work fabric from fibres of vegetable or animal origin. There are, however, certain 'manufactures, perhaps not always regarded by the layman as textiles which it might be decided nevertheless to include within the scope of the present Draft Convention, partly because they are related to what is unquestionably the textile industry, and partly because there is no other industry with which they could conveniently be grouped. This appears to be the case with (1) felt, (2) twine, cord and rope, and (3) netting.

Technically, these three branches of industry are closely related to ordinary textiles. They use the same materials, raw or already semi-manufactured by processes which are definitely textile. More important still, the processes to which these materials are subjected are either exactly or substantially the same as processes employed in certain branches of the textile industry as usually understood. Moreover, these particular branches of industry are often found localised in the same districts as certain branches of the textile industry, so that some reaction of conditions of labour in the latter upon those in the former may be expected. The degree of affinity is not perhaps in all cases the same, but there would seem to be a good case for including all of them within the scope of the proposed Draft Convention.

The first Article of the draft submitted by the Office therefore provides in paragraph 1 that the Convention shall apply to persons employed in "textile works or in any branch thereof" and goes on in paragraph 2 to define textile works so as to include those engaged in the manufacture not only of thread or yarn or woven, knitted or lace-work fabric, but also of felt, twine, cord or rope, or netting.

For similar reasons it has been necessary to adopt as wide a formula as possible to indicate the materials used for the manufacture of textile products. The industry makes use, for utilitarian or decorative purposes, of the most diverse materials such as asbestos, metal, glass and rubber, in addition to and in combination with the usual textile fibres, and in order to avoid any possibility of doubt it has been thought well, after specifying the usual fibres, to add a reference to other materials used for textile purposes, whether they are of vegetable, animal or mineral origin.

Textile Operations

The subdivision and specialisation which is a marked characteristic of the textile industry, particularly in certain countries, makes it impossible, however, to rest content with a definition so simple as this. There are undertakings which carry out the whole series of operations from those preceding the spinning of the fibre to the finishing of the fabric or even of the made-up garment, but these are exceptional. It is more usual, at any rate in certain countries, for a firm to specialise in a certain operation or series of operations. In the cotton trade, spinning, weaving and finishing are carried on in separate undertakings. In the worsted trade, combing, spinning, weaving and dyeing and finishing are each separately organised. Dyeing and finishing of all kinds of textiles might almost be regarded as an industry in itself. Moreover, there are certain operations—for example, the engraving of cylinders for machine calico printing, and the draughting of designs for lace—which are entirely distinct in technical character from the typical textile operations of spinning and weaving, and which may be carried on either in a section of a textile works or by an independent specialised undertaking. All these are certainly engaged in the textile industry and must be brought within the scope of a Draft Convention for that industry. To define the industry by listing all the possible processes and subdivisions would be impracticable. All that is necessary is to define the point at which the series of operations characteristic of industry begins and the point at which it ends, and then to provide that any works engaged in the industry

at any stage between these two points, whether on a single operation or on a series of operations, is to be regarded as part of the industry. The purpose of paragraphs 3 and 4 of Article 1 is to fix these two points of beginning and ending of the series of textile operations.

The differences between the various branches of the industry make it impossible to define the point of beginning satisfactorily by any single formula, and the method adopted in paragraph 3 has therefore been to give appropriate definitions for six of the principal branches and to leave it to the competent national authority to fix corresponding definitions for other branches of the industry which may exist in their territories.

It will be noticed that in the case of flax and hemp the operation of retting is not regarded as the initial operation if it is carried out as part of the work of an agricultural undertaking. Retting of flax and hemp frequently forms part of the work of the farm on which the flax or hemp is grown. It would be difficult to frame regulations on hours of work that could be satisfactorily applied to such cases. But the older methods of retting have now been superseded to a considerable extent by methods which are definitely industrial in character, and where this is so there would seem to be no good reason for excluding retting from the list of textile operations.

Non-textile Operations in Textile Works

A problem of some difficulty arises on paragraph 4, which defines the point at which the industry ends. A distinction must, it would seem, be made between the making of textile fabrics, which is the function of the textile industry, and the making-up from textile fabrics of articles such as garments or household goods, which is the function of a different industry. This distinction between the fabric and the article made from it, while obvious enough theoretically, is not altogether simple in practical application. The product of a carpet loom may be not merely carpet material, but a carpet complete as such in itself. Towel fabric may be woven not as a continuous piece, but in effect as a chain of towels, separated by the dropping of weft threads and connected by warp threads destined to form the fringes of the final article, and requiring only to be cut and finished off to become complete and separate towels. Where the making up of the article is clearly separable from the manufacture of the fabric, it is not a characteristically textile operation. But where no such separation is practicable, textile operations must be regarded as including for

the purpose of the regulations certain operations which may not themselves be strictly textile in character. Provision to this effect is made in paragraph 5.

Paragraph 5 also deals with the special case of hosiery manufacture. To a very large extent the hosiery branch of the textile industry is engaged in the manufacture of articles by processes such that the making of the finished article is inseparable from the making of the fabric thereof. But in many cases also the hosiery factory may manufacture knitted fabric and then proceed to the cutting-out and sewing of garments made of that fabric. The latter operations are exactly the same as those carried on by garment-making factories, which buy their supplies of fabric from hosiery manufacturers and have no other connection with the textile industry. Theoretically, it might be possible to separate the garment-making sections of a hosiery factory from the textile sections and to exclude them from the scope of the Draft Convention for textiles. In practice, however, such a segregation might involve reorganisation and re-arrangement of premises on so considerable a scale as to impose an unreasonable burden on employers. Having regard to the existing situation in this branch of the industry, and to what would seem to be the probability that the combination of the manufacture of knitted fabric with the making up of knitted garments in the same factory may become more rather than less prevalent, the Office proposes that the Draft Convention should extend to garment-making carried on in hosiery factories. Any difficulties that might arise owing to the fact that hours of work on garment-making in hosiery factories will be reduced, while those in the exclusively garment-making factories will remain unchanged, will, of course, disappear as soon as the series of Draft Conventions on hours of work is extended to cover the garment-making industry.

The combined effect of paragraphs 1 to 5 of this Article may be summed up as follows. The Convention applies to the whole staff of a textile works, including both those engaged in the distinctively textile occupations, such as carders, spinners and weavers, and those engaged in all the other occupations, from the clerks in the office to the stokers in the boiler-room. For a works to be regarded as a textile works it must be engaged in one or more of the textile operations falling within the limits of the series indicated in paragraphs 3, 4 and 5. If other operations are carried on in the works, such as making-up operations, the question whether the works as a whole is included in the scope of the Convention or

excluded from it depends upon the relative importance of the two kinds of operations carried on; if the works is mainly engaged in textile operations, the whole of the works is included; if it is mainly engaged in non-textile operations, the whole of the works is excluded. But in the special case of hosiery, making-up is deemed to be a textile operation, so that even if the actual knitting operations are not preponderant the works as a whole still fall within the scope of the Convention.

It will be seen that this method of definition of the scope of the Convention excludes the whole of any factory which is mainly engaged in non-textile operations, and this exclusion would apply even to definitely textile workers engaged on textile operations. In a case where the textile activities of a factory were quite incidental and relatively insignificant, this exclusion would not be important. But there may be cases where the textile activities of a factory which as a whole is non-textile are quite substantial, so that the textile sections constitute indeed a factory within a factory. Provision to meet such cases is made in paragraph 6 of Article 1.

Textile Branches of Non-textile Works

Paragraph 6 deals with a case of which the motor tyre industry may be taken as furnishing a typical example. The textile yarn or fabric used in the manufacture of tyres may be purchased from an independent firm; or it may be manufactured in a factory belonging to the tyre manufacturer, but quite separate and perhaps at a distance from the factory in which the distinctive operations of tyre-making are carried on; or again, both textile and tyre-making operations may be carried on in sections of the same factory. In the first and second cases no question arises, the factory concerned being clearly a textile factory, and the workers engaged therein would benefit by the Draft Convention. It follows logically that persons engaged in the same operations in a section of a combined textile and tyre-making plant should also be covered by the Draft Convention, and as the textile operations would necessarily be carried on in separate sections of the factory there would be no difficulty in subjecting the textile sections to separate regulations. Another case of the same kind is the dyeing of textile piece goods in a works mainly engaged in ordinary dyeing and dry-cleaning of clothing and household goods. Provision is made for such cases in paragraph 6, which is so framed as to apply only to cases where textile work is carried on not as a mere incident but as a definitely organised branch of the general work of the establishment.

One other special case is dealt with in this Article, namely, the case of workers engaged in the chemical production of artificial silk or other synthetic fibre. The effect of the preceding paragraphs would be that, in the case of an artificial silk works, the persons engaged in the chemical production of the fibre would be subject to the Convention if the works also engaged in textile operations and these latter operations constituted the main part of the works' activities, whereas if the works were engaged in textile operations only subsidiarily or not at all the persons engaged in chemical production would not be subject to the Convention. Such a differentiation between persons engaged on identical work would clearly be undesirable, and as the chemical production of synthetic fibres is a branch of manufacture markedly distinct as regards the nature of the operations and the organisation of the work, it has been considered necessary to leave over for separate treatment in another Convention the case of persons employed in this branch. Paragraph 7 of this Article therefore excludes from the scope of this Convention persons employed in a branch of a textile works engaged upon the chemical production of artificial silk or other synthetic fibre. The staff of an artificial silk works engaged in the textile branches of the works would, of course, come within the scope of the Convention in virtue of the preceding paragraphs of Article 1.

In view of the variety and ramifications of the textile industry and the differences in the industrial structure in various countries, it is hardly to be expected that all possible cases of doubt can be resolved by the formulas, which however carefully drawn must necessarily be somewhat general, of international regulations. The problem of borderline cases is therefore met by the inclusion as the last paragraph of this Article of a provision requiring the competent authority in each country to draw the line of demarcation between the works subject to this Convention and other works engaged in related industries or operations which will be subject eventually to other Conventions.

EXEMPTIONS

Article 2

The competent authority may, after consultation with the organisations of employers and workers concerned where such exist, exempt from the application of this Convention:

- (a) Persons employed in undertakings in which only members of the employer's family are employed;
- (b) Persons holding positions of management who do not perform manual work.

While in accordance with the terms of Article 1 of the draft submitted by the Office all persons employed in any textile works would be subject to the application of the Convention, this Article permits the exemption of two classes of persons.

The first class is persons employed in family undertakings. This calls for little comment, as the difficulties of securing effective application of labour legislation in cases where the usual employer-employee relation is absent are generally recognised. The number of such cases in the textile industry is probably small and the exemption provided for them is not a matter of great importance.

On the other hand, the Office has not considered that it would be wise to extend this exemption to small undertakings in general. It sometimes happens in the textile industry that a single building is let out to a number of small independent firms, each renting power and space from the owners of the building, employing a staff which may be quite small in number, and executing work on commission for the larger undertakings in the industry. The number of small firms in the industry is considerable and the exclusion of their employees would mean, at any rate in certain textile districts, the exclusion of an appreciable proportion of the whole body of textile workers.

The second class the exemption of which is permitted is persons employed in positions of management. It will be observed that this formula departs from the one with which the Conference is familiar in its discussion of proposed Draft Conventions and which refers to "persons occupying positions of management or supervision or employed in a confidential capacity". The reason for the change is that the longer formula might be susceptible of much too wide an interpretation in the case of the textile industry and might result in the exemption of very large numbers of workers. "Overlookers" of various kinds constitute an important section of textile workers and it would certainly narrow the scope of the Draft Convention very considerably if they were to be exempted on the ground that they occupied "positions of supervision". Again, in an industry in which patterns and designs are of such importance as they are in the textile industry, it might be argued that designers and draughtsmen and perhaps many other workers as well were employed in a "confidential capacity". It has therefore been felt necessary to avoid the use of terms which might be given an excessively wide interpretation, and to permit exemption only for persons occupying positions of management not performing manual work. This would allow of the exemption of heads of branches occupying positions

of real responsibility—including responsibility for the observance of the regulations concerning hours of work—but would not permit of exemptions going so far down the scale as ordinary foremen, overlookers, designers or office staff.

• STANDARD FORTY-HOUR WEEK

Article 3

1. The hours of work of persons to whom this Convention applies shall not exceed forty in any week.
2. For the purpose of this Convention, the term "hours of work" means the time during which the persons employed are at the disposal of the employer and does not include rest periods during which they are not at his disposal.

Article 4

The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist,

- (a) authorise the weekly hours of persons employed in retting operations to be calculated as an average over a prescribed period; and
- (b) permit time spent in cleaning by persons employed on productive work on machines who also clean the said machines to be excluded from the reckoning of their hours of work to an extent not exceeding one hour per week.

These two Articles fix the normal hours of work at forty per week, and make provision for some variation of this standard in only two cases.

The first point to which attention must be called is that averaging is not permitted except in one special case. The technical requirements of the textile industry do not call for averaging, as there are no continuous processes, and even where a shift system is adopted the fact that work can be and is in practice stopped at the week-end renders averaging unnecessary as a means of facilitating the rotation of shifts. The replies of the Government of the United States of America to the questionnaires on the reduction of hours of work in other industries which will be under consideration by the Conference emphasise the difficulties to which averaging may give rise and clearly indicate the desirability of restricting resort to averaging to cases in which there is a real technical necessity for it. Such a necessity does not appear to exist in the textile industry, except in the case of retting operations. Retting is seasonal work

and may be largely dependent on weather conditions. It is distinctly different in technical character from other textile operations and it therefore seems justifiable to allow a certain flexibility as regards the arrangement of hours of work. The Office consequently proposes in Article 4 (a) that the competent authority in each country should be allowed to authorise averaging for retting operations, the period over which the average may be calculated being prescribed by the competent authority.

The second special case dealt with is that of "cleaning time". There are considerable divergencies in practice as regards the cleaning of machinery such as spinning frames and weaving looms. In some cases the cleaning of these machines is effected by a special staff of cleaners; and in such cases no difficulty arises. But in other cases the weaver cleans his loom at intervals as opportunity offers—after each beam, for example—and gives it a general cleaning at the end of the week. In some countries and in some branches of the industry the time devoted to cleaning is regarded as part of the ordinary working hours and must be included within the limits laid down for the working week; but in others the worker carries on beyond the ordinary limits so far as is necessary to effect the cleaning of his machine. Theoretically it would no doubt be desirable to establish complete uniformity in this respect, but to insist on uniformity in cases where it would entail a change in long-established traditional practice might create difficulties for the ratification and enforcement of the Convention. For this reason the Office has thought it better to allow the continuance of the existing practice of treating cleaning time as additional time where the competent authority of the country deems this course expedient, but as it is clearly necessary that some limit should be fixed to such additional time provision is made in clause (b) of this Article that the additional time so worked shall in no case exceed one hour a week.

LONGER WEEK FOR SPECIAL CLASSES

Article 5

1. The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist, provide that the limit of hours prescribed in Article 3 may be exceeded in the case of:

- (a) persons employed on preparatory and complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking or branch thereof or of the shift; and

(b) persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls.

2. The regulations referred to in paragraph 1 shall determine the maximum number of hours which may be worked in virtue of this Article.

This Article permits the competent authority in each country to prescribe a week of longer duration than the standard forty hours for certain limited classes of workers.

The first class, indicated in clause (a), is that of workers such as firemen and boiler and engine-room staffs, whose work must begin earlier than that of the rest of the staff in order to enable steam to be got up, premises heated, etc., so that productive work can begin as soon as the main body of the staff arrives. It is the practice for such workers to work rather longer hours than others, and it would seem to be necessary to give recognition to the practice in the Draft Convention.

Clause (b) of paragraph 1 covers the case of workers such as gate-keepers and night watchmen. In practice these workers do work longer hours than the main body of the staff, and though theoretically it might be desirable to apply the same limit of hours of work to them as to the others it does not seem necessary to insist upon this being done. The number of persons affected is, of course, very small and their occupations are not such as to involve severe physical or mental strain. It should be observed that the clause is strictly drawn; there must be an absence of both physical activity and sustained attention during long periods of inaction if the clause is to apply. Consequently, it would not, for example, be possible to apply the clause to carding room or loom overlookers who may be inactive at times but nevertheless must be continuously on the alert to ensure that the machinery in their charge is working smoothly.

In all these cases, the hours of work must not be left completely unregulated. If the standard hours are to be exceeded, this must take place in accordance with regulations made by the competent authority, which must prescribe what the special limits of hours are to be.

EMERGENCY WORK

Article 6

The limits of hours prescribed in the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious inter-

ference with the ordinary working of the undertaking, in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of *force majeure*.

Accidents will happen in spite of all precautions and it would be unreasonable to insist on the strict observance of the ordinary rules as to hours of work in cases where such strictness in respect of certain workers might mean a danger to life and limb for other workers or damage to property inflicting loss both on the employer and on the main body of workers, who might have to remain idle for a long period. Provision is therefore made in Article 5 to permit of exceeding the standard hours of work when this is strictly necessary. It should be observed that the latitude allowed is not unlimited. Extra hours may be worked in certain cases, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

OVERTIME

It has to be recognised that the working of overtime may sometimes be necessary, and the problem is therefore one of devising provisions which will permit overtime to be worked when and to the extent that, it is really justified whilst preventing resort to overtime on such a scale as to nullify the reduction of hours of work which is the purpose of the proposed Draft Convention. To achieve this double purpose in the special conditions of the textile industry it would seem to be necessary to include in the Draft Convention provisions dealing with overtime in some detail. Articles 6 and 7 of the text submitted by the Office therefore make provision for overtime which may be necessitated by certain technical peculiarities of the textile industry, while Article 8 deals with overtime which may be required to meet the commercial requirements of the industry.

PROCESSES THAT CANNOT BE INTERRUPTED AT WILL

Article 7

1. The limits of hours prescribed in Articles 3 and 5 may be exceeded in cases where the continued presence of particular persons is necessary for the completion of:

- (a) a bleaching, dyeing, finishing or other operation, or
- (b) a succession of such operations,

the completion of which is technically necessary to avoid damage to the material worked.

2 The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the operations to which the preceding paragraph applies and the maximum number of hours in excess of the prescribed limits which may be worked by the persons concerned

3 Overtime worked in virtue of this Article shall be remunerated at not less than one and a quarter times the normal rate

It is recognised that certain operations of the textile industry are of such a character that if they are interrupted before completion there is a risk, if not indeed a certainty, either of damaging the material or of causing inconvenience and loss to the workers as well as to the employer at a later stage. Tape sizing, for example, is such an operation. Once the working of a warp through the tape sizing machine is begun it must be completed for if the operation is suspended an excessive amount of size will be deposited on a certain length of the warp and this cannot be very satisfactorily removed afterwards. Either the warp is rendered useless, at any rate in part, or at best the weaver may have difficulties with it when it is on the loom. This peculiarity of the process explains the practice of working through the ordinary meal times which prevails in tape sizing, and it might also on occasion entail the continuance of the work for a short period beyond the usual stopping time in order to finish the working of a warp already in the machine. In this case, however, the length of the time required for sizing a warp is known beforehand with fair accuracy so that arrangements could generally be made to ensure that the week's work will be completed within the normal weekly working hours, even though some adjustment of daily hours might occasionally be necessary.

In the case of some processes, however, it is not possible to forecast with the same accuracy the time required for the completion of the processes, and sometimes the difficulty arises from the fact that after the material has been put through one process it must be subjected immediately to the next process if it is not to be damaged irretrievably. In such circumstances the organisation of the flow of work so that all the material to be handled can be disposed of within the ordinary working hours may not always be practicable, and some excess of time above the prescribed weekly limit as distinct from the usual daily limit may occasionally be required. This situation may arise in the drying of flax fibre, but it appears to occur mainly in the bleaching, dyeing and finishing branches of the industry in which the necessity for occasional overtime for the purpose of putting goods into a condition of safety is, in fact,

expressly recognised by both workers and employers. Article 7 of the Draft therefore makes provision for a certain elasticity in weekly hours of work in this branch.

It would, of course, be impossible to leave the working of such overtime entirely unregulated, and Article 6 accordingly imposes a number of restrictions. There is no need for overtime if the workers who are engaged on an operation or series of operations of the kind in question at the time when their weekly limit expires can be replaced by others who have not yet worked their full week. The first condition is therefore that "the continued presence of particular persons is necessary". In the second place, the amount of overtime reasonably required will not be the same in the case of each operation. It would be impracticable to specify in detail in the Draft Convention all the operations for which overtime might be technically necessary and the amount of overtime that would be legitimate in each case. Consequently the responsibility for deciding these matters is placed on the competent authority in each country. Two further stipulations are included in this Article with a view to ensuring that the possibility of working overtime is not abused. The competent authority is required to consult with the organisations of both the employers and workers concerned before deciding what are the operations on which overtime may be worked and how much overtime may be worked, and a further protection is given by requiring payment for such overtime at not less than 25 per cent. above the normal rate of pay.

SECTIONAL OVERTIME

Article 8

1. Upon application by an employer, the competent authority may grant an allowance of overtime for specified classes of persons in exceptional cases in which overtime working on one or more operations is necessary in order to enable the workers engaged in subsequent operations in the same works to be employed up to the prescribed limits of hours.

2. The competent authority shall determine, after consultation with the organisations of employers and workers concerned where such exist, the number of hours of overtime which may be worked in virtue of paragraph 1 of this article, so however that no such allowance shall permit of any person being employed for more than one hundred hours of such overtime in any year.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

4. The competent authority may attach to the grant of an allowance of overtime such conditions as it deems expedient with a view to securing a progressive reduction in the amount of overtime worked.

In the ideal textile works there would be a perfect balance between all sanctions of the plant so that work in one section would never be held up by a shortage in the output of a section engaged on an earlier operation. In practice, however, it does sometimes happen that it is impossible to work full time in one section of a works unless arrangements are made to increase the output of some other section. It may, for example, be necessary to increase the output of the carding room in order to ensure a sufficient supply of material for the spinning machines or of the spinning machines in order to keep the weaving looms working full time. This problem is complicated by the fact that a plant which is appropriately balanced for the working of certain counts may be thrown out of balance if there is a change over in the counts. While the difficulty can sometimes be met by putting out some of the work to be done on commission in another factory or by the organisation of a second shift, there will remain cases in which the only practicable solution is the working of overtime at certain stages in the manufacture in order that the operatives at a later stage may not be prevented from working up to the normal limit by shortage of material. Provision is made in Article 7 of the Office's draft for the working of overtime in such cases.

Some check is clearly required upon the working of what may be called this sectional overtime in order that employers may be induced to take such steps as are practicable either to adjust the relative capacities of the various sections of their plant or to get the extra work done for them by other firms. Failing this, work will be done by certain workers on overtime which could be done by other workers in normal time, and the purpose of the Draft Convention will be defeated. Article 8 of the Office's text accordingly requires that an employer who may need sectional overtime must make application to the competent national authority. Before granting an allowance of overtime the competent authority must consult the organisations of employers and workers concerned—both of whom, of course, have an interest in the reduction of such overtime to the minimum really justifiable—and then decide whether there is a reasonable case for overtime and, if so, the amount of overtime that will be permitted. In order to avoid repeated resort to overtime in circumstances that really ought to be met by other measures, the competent authority is empowered to attach conditions to the grant of an allowance of overtime, whether it will do so, and if it does what the nature of the conditions should be, is left to the discretion of the competent authority, which will, of course,

have the benefit of the advice tendered by the employers' and workers' organisations. A further inducement to reduce overtime to the minimum strictly necessary is given by the provision requiring extra pay for overtime. Since each case must be dealt with on its own merits it is impossible to prescribe in the Draft Convention itself the maximum number of hours of overtime that may be granted in an allowance; but in order to avoid the concentration of the whole allowance on a small number of workers, whose working week might thus be extended far beyond the normal forty hours, it is provided that no individual worker may be employed, in virtue of an allowance of sectional overtime, for more than one hundred hours of overtime in the course of a year.

OCCASIONAL OVERTIME

Article 9

1. The limits of hours prescribed in the preceding Articles may be exceeded so far as is necessary for auditing or stocktaking, for the execution of urgent orders, or for other cases of exceptional pressure of work.

2. Before employing any person on overtime in virtue of this Article, the employer shall apply for permission to the competent authority, and the competent authority may either refuse permission or give permission subject to such conditions and limitations as it may think expedient.

3. The competent authority shall determine, after consultation with the organisations of employers and workers concerned where such exist, the maximum number of hours of overtime which may be worked by any person in virtue of this Article, subject to the said maximum in no case exceeding one hundred hours per year.

4. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

There remains the question of overtime required to meet the occasional fluctuations in volume or arrangement of the work which are incidental to the carrying-on of any commercial undertaking. These may be of varying importance. The conditions of the market may give rise to extra pressure of work at certain seasons upon all undertakings engaged in a particular branch of the industry, or some unexpected event—an occasion of national mourning or national festivity—may occasion a sudden rush of urgent orders. Another kind of seasonal work, namely, stocktaking and audit, though it is foreseen, may nevertheless necessitate the working of a certain amount of overtime by office and supervisory staff. In some cases, of course, the situation might be met by the taking on of additional staff, but in other cases this would be impracticable and provision must therefore be made for overtime.

Here again it is evident that precautions must be taken. From the point of view of the workers it is inadmissible that work should be done by certain individuals as overtime which might be done in ordinary time by other individuals. From the point of view of the employers, it is inadmissible that one firm should enjoy an advantage in competition with other firms because it works overtime while the others respect the normal hours. A series of conditions for the working of overtime is therefore imposed in Article 9 of the draft submitted by the Office.

The first condition imposed is that the employer should apply for permission before overtime working is actually begun, so that the competent authority may satisfy itself that the circumstances really justify the working of overtime and may impose such conditions or limitations—for example, as to the number of hours of overtime to be worked each day or in all, or the number of persons for whom overtime will be allowed—as it may think expedient with a view to preventing any abuse.

In view of the variety of cases that may present themselves it is not practicable to impose any general limit on the amount of overtime to be worked, but it would seem nevertheless desirable to prevent any individual worker being called upon to work overtime so continuously or to such an extent as to render illusory the normal limitation of hours to forty a week. This is effected by paragraph 3 of this Article, which stipulates that no worker may be employed on overtime for more than a number of hours to be prescribed by the competent authority, which cannot in any case be more than one hundred hours a year and may be less. The competent authority would, of course, be free to impose further restrictions when granting permission to work overtime and to limit the amount of overtime that might be worked by any worker by the day, week or month as well as by the year, but it has not been thought expedient to fetter the discretion of the competent authority by specifying any such further restrictions in the Draft Convention itself.

Finally, a further inducement to reduce overtime to the strictly necessary minimum is provided by the stipulation of an increase of 25 per cent. in pay for overtime work.

It should perhaps be pointed out that, although provision for overtime is made in three Articles of the proposed Draft Convention, the extra hours permitted by these Articles would not in practice be cumulative. Overtime could be worked under Article 7 only

by a very limited number of workers on special occasions, and the total amount of such overtime that any individual worker could be called upon to work in the course of a year would be quite small. Sectional overtime under Article 8 might be worked by a larger number of workers, but its amount would be limited by the decision of the competent authority on each application and it may be presumed that even apart from this limitation an employer would find it preferable to put out work on commission or to engage an additional shift rather than to work any large proportion of his staff on overtime at extra rates of pay up to the maximum allowance for each. Again, the occasional overtime authorised by Article 9 could not be worked without permission by the competent authority, which might impose any restrictions it thought expedient. In practice, therefore, there would seem to be no real risk that any worker could be compelled to work inordinately long hours as a result of a cumulative application of the provisions of these three Articles.

It will be noticed that while provision is made in Article 8 for consultation with the employers' and workers' organisations before an allowance of overtime is granted by the competent authority, Article 9 does not require such consultation before permission is given for the working of overtime though there must be consultation before the maximum per worker is fixed. The reason is, of course, that in the case of the overtime dealt with in Article 9 the circumstances might be such that there would not be time for consultation with the organisations. Where time was available there might clearly be considerable advantage in consultation, but it is impossible to impose it as a binding obligation.

In this connection it might perhaps be observed that the control of overtime in a manner at once strict and reasonable is a matter of the greatest concern to both the employers and the workers in the industry, so that there would be every advantage in associating the representatives of both parties with the work of control. The practice of joint control of overtime does in fact exist, under collective agreements, in the textile industry in certain centres where both parties are well organised, and this suggests that it might be found practicable, in some cases, to entrust the control of overtime in accordance with Articles 7, 8 and 9 to a joint body or bodies representing the employers' and workers' organisations, which would thus act as the competent authority for these purposes and relieve the factory inspection service of a considerable volume of detail work. Whether such bodies would be able to discharge

these duties effectively and to what extent the Government of any country might find it prudent and expedient to devolve upon them any of its powers in this respect are obviously questions that can be answered only in the light of the special circumstances of each case, so that no special provision on the subject could be included in an international Convention. It seems desirable, however, to call attention to the possibility of such a devolution of powers and to point out that it is not excluded by the terms of the proposed Draft Convention.

MEASURES TO FACILITATE ENFORCEMENT

Article 10

In order to facilitate the effective enforcement of the provisions of this Convention, every employer shall be required—

- (a) to notify, by the posting of notices in a conspicuous manner in the works or other suitable place or by such other method as may be approved by the competent authority,
 - (i) the hours at which work begins and ends;
 - (ii) where work is carried on by shifts, the hours at which each shift begins and ends;
 - (iii) where a rotation system is applied, a description of the system, including a time-table for each person or group of persons;
 - (iv) the arrangements made in cases where the average duration of the working week is calculated over a number of weeks; and
 - (v) rest periods in so far as these are not reckoned as part of the working hours;
- (b) to keep a record in the form prescribed by the competent authority of all additional hours worked in virtue of Articles 7, 8 and 9 of this Convention and of the payments made in respect thereof.

This Article makes provision, on lines with which the Conference is familiar, for the posting of certain notices and the keeping of certain records by the employer with a view to facilitating the enforcement of the provisions of the Convention by enabling both the workers and the inspection service to have ready access to the necessary information. The notices required to be posted must give all necessary details concerning the arrangement of hours of work applied in the works, and the record to be kept by the employer will enable the inspection service to make an exact check upon the extent to which overtime is resorted to under the provisions of Articles 7, 8 and 9.

INTERNATIONAL SUPERVISION

Article 11

The annual reports submitted by Members upon the application of this Convention shall include more particularly full information concerning:

- (a) the decisions taken in virtue of Article 1, paragraph 3 (g);
- (b) the regulations referred to in Article 4 concerning time spent in cleaning;
- (c) the determinations made in pursuance of Article 7, paragraph 2;
- (d) the allowances of overtime granted in virtue of Article 8;
- (e) the extent to which overtime is worked in virtue of Article 9.

This Article is also one with which the Conference is familiar. The form of the annual reports on the measures taken to give effect to a Convention which Governments furnish to the International Labour Office is, under the Constitution of the Organisation, determined by the Governing Body of the Office: but it would seem desirable to specify in the text of the Draft Convention itself the more important matters on which information would certainly be necessary for the purpose of international supervision. The matters specified here relate to the determination of the initial textile operation in cases where this is left to the competent authority, to "cleaning time" and to the exercise of the powers conferred in regard to overtime.

SAVING CLAUSE

Article 12

Nothing in this Convention shall affect any law, custom, or agreement between employers or workers which ensures more favourable conditions than those provided for by this Convention.

The Committee on the reduction of hours of work of the Nineteenth Session of the Conference, after completing its examination of proposed Draft Conventions relating to a number of industries, decided to add to the texts an Article expressly safeguarding established practice in cases where this afforded more favourable conditions than those provided by the Draft Convention itself. The Article now proposed by the Office reproduces the provision approved by the Conference in 1935, completing it by a reference to law as well as to custom and agreement.

RELATION OF THE PROPOSED DRAFT CONVENTION TO THE
FORTY-HOUR WEEK CONVENTION, 1935.

The question of the relation between the Forty-Hour Week Convention, 1935, and the several Draft Conventions for the application of the principle therein laid down to particular fields of employment is discussed at some length in the other reports on the reduction of hours of work to be submitted to the Twentieth Session of the Conference. The decision taken by the Conference will no doubt be the same for all the proposed Draft Conventions before it, and it is therefore sufficient to say here that in its proposals for the textile industry the Office has included in the preamble to its draft the same reference as it proposes in the case of the other industries.

* * *

With these explanations and comments, the Office submits to the Conference, in order that it may if it so desires proceed to the final adoption of international regulations at its twentieth Session, a proposed Draft Convention concerning the reduction of hours of work in the textile industry, the text of which appears on the following pages.

PROPOSED DRAFT CONVENTION CONCERNING THE
REDUCTION OF HOURS OF WORK IN THE
TEXTILE INDUSTRY

The General Conference of the International Labour Organisation,

Having met at Geneva in its Twentieth Session on 4 June 1936;

Considering that the question of the reduction of hours of work in the textile industry is the seventh item on the Agenda of the Session;

Confirming the principle laid down in the Forty-Hour Week Convention, 1935, including the maintenance of the standard of living;

Considering it to be desirable that this principle should be applied by international agreement to the textile industry;

adopts this . . . day of June one thousand nine hundred and thirty-six the following Draft Convention . . .:

ARTICLE 1

1. This Convention applies to persons employed in textile works or in any branch thereof.

2. A works shall be considered a textile works if it is engaged wholly or mainly in any one or more of the series of operations delimited in paragraphs 3, 4 and 5 of this Article in the course of the production of any kind of thread, yarn, twine, cord, rope, netting or felt, or any woven, knitted or lacework fabric, from any one or more of the following materials: cotton, wool, silk, flax, hemp, jute, artificial silk or any other synthetic fibre, or any other textile material whether of vegetable, animal or mineral origin.

3. The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works begins:

- (a) in the case of cotton, with the reception of the bales of ginned cotton for breaking up and cleaning;
- (b) in the case of wool, with the reception of the raw wool for sorting and cleaning (excluding the process of anthrax disinfection);

AVANT-PROJET DE CONVENTION CONCERNANT
LA RÉDUCTION DE LA DURÉE DU TRAVAIL
DANS L'INDUSTRIE TEXTILE

La Conférence générale de l'Organisation internationale du Travail,

S'étant réunie à Genève, le 4 juin 1936, en sa vingtième session;

Considérant que la question de la réduction de la durée du travail dans l'industrie textile constitue la septième question à l'ordre du jour de la session;

Confirmant le principe consacré dans la convention des quarante heures, 1935, comportant aussi le maintien du niveau de vie des travailleurs;

Considérant qu'il est désirable que ce principe soit appliqué par un accord international à l'industrie textile;

adopte, ce ... jour de juin mil neuf cent trente-six, le projet de convention ci-après . . . :

ARTICLE 1

1. La présente convention s'applique aux personnes employées dans les établissements ou branches d'établissements de l'industrie textile.

2. Est considéré comme établissement de l'industrie textile tout établissement dont l'activité porte exclusivement ou principalement sur une ou plusieurs des opérations comprises dans les limites définies aux paragraphes 3, 4 et 5 du présent article, relatives à la fabrication de tous genres de fils, filés, ficelles, cordes, cordages, filets, feutres, ou de tous genres de tissus ou réseaux constitués des matières suivantes, seules ou mélangées: coton, laine, soie, lin, chanvre, jute, rayonne et autres fibres synthétiques et toutes autres matières textiles d'origine végétale, animale ou minérale.

3. La série des opérations auxquelles doit être exclusivement ou principalement consacré un établissement pour constituer un établissement de l'industrie textile commence:

- a) dans le cas du coton, avec la réception des balles de coton égrené en vue de l'ouverture des balles et du nettoyage du coton;
- b) dans le cas de la laine, avec la réception de la laine brute, en vue du triage et du nettoyage (à l'exception des opérations de désinfection anticharboneuse);

- (c) in the case of silk, with the reeling of the silk from the cocoon;
- (d) in the case of flax and hemp, with the operation of retting, except where this operation is effected as work accessory to an agricultural undertaking;
- (e) in the case of artificial silk or other synthetic fibre, with the process immediately succeeding the chemical production of the thread;
- (f) in the case of rags, with the sorting of the rags; and
- (g) in the case of any other textile material, with the operation prescribed by the competent authority as corresponding to the operations set out above.

4. The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works ends with the packing and despatch from the works of the products specified in paragraph 2 of this Article.

5. The series of operations upon which a works must be wholly or mainly engaged to constitute it a textile works includes the making in whole or in part of any garment or other article only in the following cases:

- (a) the case of hosiery manufacture; and
- (b) cases in which the garment or other article is made by the same process as the fabric thereof.

6. This Convention applies to persons employed in textile branches of non-textile works if the branch in which they are employed:

- (a) is distinct from the rest of the works as regards staff and premises, and
- (b) is engaged wholly or mainly upon one or more of the operations delimited in paragraphs 3, 4 and 5 of this Article.

7. This Convention does not apply to persons employed in textile works in branches engaged upon the chemical production of artificial silk or other synthetic fibre.

8. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the line of demarcation that separates works or branches thereof covered by this Convention from works or branches engaged in related industries or operations.

- c) dans le cas de la soie, avec le dévidage des cocons;
- d) dans le cas du lin et du chanvre, avec le rouissage pour autant que cette opération n'est pas effectuée comme travail annexe à celui d'un établissement agricole;
- e) dans le cas de la rayonne ou autres fibres synthétiques, avec l'opération qui suit immédiatement la production chimique du fil;
- f) dans le cas de chiffons, avec le triage des chiffons;
- g) dans le cas de toute autre matière textile, avec l'opération à déterminer par l'autorité compétente comme correspondant aux opérations indiquées ci-dessus.

4. La série des opérations auxquelles doit être exclusivement ou principalement consacré un établissement pour constituer un établissement de l'industrie textile se termine avec l'emballage et l'expédition de l'établissement des produits mentionnés au paragraphe 2 du présent article.

5. La série des opérations auxquelles doit être exclusivement ou principalement consacré un établissement pour constituer un établissement de l'industrie textile ne comprend la fabrication totale ou partielle de vêtements ou d'autres articles que dans les cas suivants:

- a) cas de la bonneterie;
- b) cas où les vêtements ou autres articles sont confectionnés suivant un processus commun à la fabrication des produits dont sont composés ces vêtements ou articles.

6. La présente convention s'applique aux personnes employées dans des branches ayant un caractère textile qui font partie d'établissements n'appartenant pas eux-mêmes à l'industrie textile, pourvu que ces branches:

- a) soient distinctes, quant au personnel et aux locaux, du reste de l'établissement;
- b) soient consacrées exclusivement ou principalement à l'une ou plusieurs des opérations comprises dans les limites définies aux paragraphes 3, 4 et 5 du présent article.

7. La présente convention ne s'applique pas, dans les établissements de l'industrie textile, aux personnes employées dans les branches d'établissements affectées à la production chimique de la rayonne ou autre fibre synthétique.

8. L'autorité compétente déterminera, après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, la ligne de démarcation entre les établissements ou branches d'établissements couverts par la présente convention, d'une part, et les établissements ou branches d'établissements des industries ou opérations connexes, d'autre part.

ARTICLE 2

The competent authority may, after consultation with the organisations of employers and workers concerned where such exist, exempt from the application of this Convention:

- (a) persons employed in undertakings in which only members of the employer's family are employed;
- (b) persons holding positions of management who do not perform manual work.

ARTICLE 3

1. The hours of work of persons to whom this Convention applies shall not exceed forty in any week.

2. For the purpose of this Convention, the term "hours of work" means the time during which the persons employed are at the disposal of the employer and does not include rest periods during which they are not at his disposal.

ARTICLE 4

The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist,

- (a) authorise the weekly hours of persons employed in retting operations to be calculated as an average over a prescribed period; and
- (b) permit time spent in cleaning by persons employed on productive work on machines who also clean the said machines to be excluded from the reckoning of their hours of work to an extent not exceeding one hour per week.

ARTICLE 5

1. The competent authority may, by regulations made after consultation with the organisations of employers and workers concerned where such exist, provide that the limit of hours prescribed in Article 3 may be exceeded in the case of—

- (a) persons employed on preparatory and complementary work which must necessarily be carried on outside the limits laid down for the general working of the undertaking or branch thereof or of the shift; and
- (b) persons employed in occupations which by their nature involve long periods of inaction during which the said persons have to display neither physical activity nor sustained attention or remain at their posts only to reply to possible calls.

ARTICLE 2

L'autorité compétente peut, après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, exempter de l'application de la présente convention:

- a) les personnes employées dans les établissements où sont seuls occupés les membres de la famille de l'employeur;
- b) les personnes qui occupent un poste de direction et qui n'effectuent pas un travail manuel.

ARTICLE 3

1. La durée du travail des personnes auxquelles s'applique la présente convention ne doit pas dépasser quarante heures par semaine.

2. Aux fins de la présente convention, l'expression « durée du travail » signifie le temps pendant lequel le personnel est à la disposition de l'employeur et ne comprend pas les repos pendant lesquels il n'est pas à sa disposition.

ARTICLE 4

L'autorité compétente peut, par des règlements pris après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe:

- a) permettre que la durée hebdomadaire du travail, dans le cas de personnes occupées à des opérations de rouissage, soit calculée en moyenne sur une période déterminée;
- b) permettre que le temps passé au nettoyage par des personnes occupées à un travail productif à l'aide de machines et qui effectuent également le nettoyage desdites machines soit exclu du calcul de la durée du travail, dans la mesure où ce temps ne dépasse pas une heure par semaine.

ARTICLE 5

1. L'autorité compétente peut, par des règlements pris après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, permettre de dépasser la limite des heures de travail fixée à l'article 3 dans le cas:

- a) de personnes employées à des travaux préparatoires ou complémentaires qui doivent être nécessairement effectués en dehors des limites assignées au travail général de l'établissement, de la branche d'établissement, ou de l'équipe;
- b) de personnes employées à des occupations qui, par leur nature, comportent de longues périodes d'inaction pendant lesquelles ces personnes n'ont à déployer ni activité matérielle, ni attention soutenue, ou ne restent à leur poste que pour répondre à des appels éventuels.

2. The regulations referred to in paragraph 1 shall determine the maximum number of hours which may be worked in virtue of this Article.

ARTICLE 6

The limits of hours prescribed in the preceding Articles may be exceeded, but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking, in case of accident, actual or threatened, or in case of urgent work to be done to machinery or plant, or in case of *force majeure*.

ARTICLE 7

1. The limits of hours prescribed in Articles 3 and 5 may be exceeded in cases where the continued presence of particular persons is necessary for the completion of:

(a) a bleaching, dyeing, finishing or other operation, or

(b) a succession of such operations, the completion of which is technically necessary to avoid damage to the material worked.

2. The competent authority shall, after consultation with the organisations of employers and workers concerned where such exist, determine the operations to which the preceding paragraph applies and the maximum number of hours in excess of the prescribed limits which may be worked by the persons concerned.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

ARTICLE 8

1. Upon application by an employer, the competent authority may grant an allowance of overtime for specified classes of persons in exceptional cases in which overtime working on one or more operations is necessary in order to enable the workers engaged in subsequent operations in the same works to be employed up to the prescribed limits of hours.

2. The competent authority shall determine, after consultation with the organisations of employers and workers concerned where such exist, the number of hours of overtime which may be worked in virtue of paragraph 1 of this Article, so however that no such allowance shall permit of any person being employed for more than one hundred hours of such overtime in any year.

2. Les règlements prévus au paragraphe 1 doivent déterminer le nombre maximum d'heures de travail qui peuvent être effectuées en vertu du présent article.

ARTICLE 6

Les limites des heures de travail prescrites aux articles précédents peuvent être dépassées, nantis uniquement dans la mesure nécessaire pour éviter qu'une gêne sérieuse ne soit apportée à la marche normale de l'établissement, en cas d'accident survenu ou imminent ou en cas de travaux d'urgence à effectuer aux machines ou à l'outillage ou en cas de force majeure.

ARTICLE 7

1. Les limites des heures de travail prévues aux articles 3 et 5 peuvent être prolongées pour certaines personnes dont la présence continue est nécessaire pour l'achèvement:

- a) des opérations de blindement, teinture ou finissage ou autre opération,
- b) d'une série de telles opérations, lorsque cet achèvement est techniquement nécessaire pour éviter une détérioration des produits en cours de fabrication.

2. L'autorité compétente déterminera, après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, les opérations visées par le paragraphe précédent et le nombre maximum des heures dépassant les limites prescrites pendant lesquelles le personnel envisagé pourra travailler.

3. Les heures supplémentaires effectuées en vertu des dispositions du présent article doivent être rémunérées à un taux majoré d'au moins vingt-cinq pour cent par rapport au salaire normal.

ARTICLE 8

1. A la demande d'un employeur, l'autorité compétente peut accorder un crédit d'heures supplémentaires pour des catégories de personnes déterminées dans les cas exceptionnels où des heures supplémentaires sont nécessaires pour effectuer une ou plusieurs opérations afin de permettre aux ouvriers occupés dans le même établissement à des opérations ultérieures d'être employés jusqu'aux limites prescrites.

2. L'autorité compétente déterminera, après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, le nombre maximum des heures supplémentaires pouvant être effectuées en vertu du paragraphe 1 du présent article, sous réserve qu'une telle décision n'entraîne pas l'emploi d'une personne pendant plus de cent heures de travail supplémentaire par an.

3. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

4. The competent authority may attach to the grant of an allowance of overtime such conditions as it deems expedient with a view to securing a progressive reduction in the amount of overtime worked.

ARTICLE 9

1. The limits of hours prescribed in the preceding Articles may be exceeded so far as is necessary for auditing or stocktaking, for the execution of urgent orders, or for other cases of exceptional pressure of work.

2. Before employing any person on overtime in virtue of this Article, the employer shall apply for permission to the competent authority, and the competent authority may either refuse permission or give permission subject to such conditions and limitations as it may think expedient.

3. The competent authority shall determine, after consultation with the organisations of employers and workers concerned where such exist, the maximum number of hours of overtime which may be worked by any person in virtue of this Article, subject to the said maximum in no case exceeding one hundred hours per year.

4. Overtime worked in virtue of this Article shall be remunerated at not less than one-and-a-quarter times the normal rate.

ARTICLE 10

In order to facilitate the effective enforcement of the provisions of this Convention, every employer shall be required:

- (a) to notify, by the posting of notices in a conspicuous manner in the works or other suitable place or by such other method as may be approved by the competent authority,
 - (i) the hours at which work begins and ends;
 - (ii) where work is carried on by shifts, the hours at which each shift begins and ends;
 - (iii) where a rotation system is applied, a description of the system, including a time-table for each person or group of persons;
 - (iv) the arrangements made in cases where the average duration of the working week is calculated over a number of weeks; and
 - (v) rest periods in so far as these are not reckoned as part of the working hours;

3. Les heures supplémentaires effectuées en vertu des dispositions du présent article doivent être rémunérées à un taux majoré d'au moins vingt-cinq pour cent par rapport au salaire normal.

4. L'autorité compétente peut subordonner l'octroi d'un crédit d'heures supplémentaires à toutes conditions qu'elle estimera opportunes en vue d'obtenir la diminution progressive du nombre de ces heures.

ARTICLE 9

1. Les limites des heures de travail prescrites aux articles précédents peuvent être dépassées dans la mesure où cela est nécessaire pour la vérification des comptes et les inventaires, l'exécution d'ordres urgents ou autres cas de surcroît de travail extraordinaire.

2. Avant de faire effectuer des heures supplémentaires en vertu des dispositions du présent article, l'employeur doit adresser une demande à cette fin à l'autorité compétente qui peut soit refuser l'autorisation, soit l'accorder sous réserve des conditions et limites qu'elle juge opportunes.

3. L'autorité compétente déterminera, après consultation des organisations d'employeurs et de travailleurs intéressés, s'il en existe, le nombre maximum d'heures supplémentaires pouvant être effectuées par toute personne en vertu du présent article, sous réserve que ce maximum n'excède en aucun cas cent heures par an.

4. Les heures supplémentaires effectuées en vertu des dispositions du présent article doivent être rémunérées à un taux majoré d'au moins vingt-cinq pour cent par rapport au salaire normal.

ARTICLE 10

En vue de faciliter l'application des dispositions de la présente convention, chaque employeur doit:

a) faire connaître au moyen d'affiches apposées d'une manière apparente dans l'établissement ou dans tout autre lieu convenable ou selon tout autre mode approuvé par l'autorité compétente:

i) les heures auxquelles commence et finit le travail;

ii) si le travail s'effectue par équipes, les heures auxquelles commence et finit le tour de chaque équipe;

iii) s'il est fait application d'un système de roulement, une description de ce système, y compris un horaire de travail pour chaque personne ou groupe de personnes;

iv) les dispositions prises dans le cas où la durée hebdomadaire moyenne du travail est calculée sur plusieurs semaines;

v) les repos dans la mesure où ils ne sont pas considérés comme faisant partie des heures de travail.

(b) to keep a record in the form prescribed by the competent authority of all additional hours worked in virtue of Articles 7, 8 and 9 of this Convention and of the payments made in respect thereof.

ARTICLE 11

The annual reports submitted by Members upon the application of this Convention shall include more particularly full information concerning:

- (a) the decisions taken in virtue of Article 1, paragraph 3 (g);
- (b) the regulations referred to in Article 4 concerning time spent in cleaning;
- (c) the determinations made in pursuance of Article 7, paragraph 2;
- (d) the allowances of overtime granted in virtue of Article 8;
- (e) the extent to which overtime is worked in virtue of Article 9.

ARTICLE 12

Nothing in this Convention shall affect any law, custom, or agreement between employers and workers which ensures more favourable conditions than those provided for by this Convention.

b) insérer sur un registre, selon le mode approuvé par l'autorité compétente, toutes les prolongations de la durée du travail qui ont eu lieu en vertu des articles 7, 8 et 9 de la présente convention ainsi que le montant de leur rétribution.

ARTICLE 11

Les rapports annuels soumis par les Membres sur l'application de la présente convention doivent comprendre des renseignements complets concernant notamment:

- a) les décisions prises en vertu de l'article 1^{er}, paragraphe 3 g);
- b) les règlements mentionnés à l'article 4 relatifs au temps passé au nettoyage;
- c) les déterminations opérées conformément à l'article 7, paragraphe 2;
- d) les heures supplémentaires accordées conformément à l'article 8;
- e) la limite dans laquelle il est fait usage des heures supplémentaires conformément à l'article 9.

ARTICLE 12

Rien dans la présente convention n'affecte toute loi, toute coutume ou tout accord entre les employeurs et les travailleurs qui assure des conditions plus favorables que celles prévues par la présente convention.

